

ASSIGNED

FILE#: G 13066

MCDUGAL BROTHERS INVESTMENTS
38437 DEXTER RD
DEXTER, OR 97431

Application No. G13066
Permit No. G12309
Certificate No. _____

087

Stream Index, Page No. 2

Benton
02-1140-1320
Y 5 W F Bowers Slough

FEES PAID

Date	Amount	Receipt No.
8/6/93	8300.00	90187
Refile - 12-22-93	25.-	1082
assign 12-11-95	10.00	13090
10-11-99	100.00	33781
9-15-05	Cert. Fee	77319

FEES REFUNDED

Date	Amount	Check No.

Date filed 8/6/92
Priority _____
Action suspended until CA4
"on extend 6"
Return to applicant _____
Date of approval _____

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
12-11-95	Benton County / Cascade View Water Dist. Homeowners Assn.	360 SW Avery Ave., Corvallis, OR 97333	7	3145

CONSTRUCTION

Date for beginning 3-15-97
Date for completion 10-1-98
Extended to 10-1-04, 10-1-2024
Date for application of water 10-1-99
Extended to 10-1-04, 10-1-2024

REMARKS

PROSECUTION OF WORK

Form "A" filed _____
Form "B" filed _____
Form "C" filed _____

FINAL PROOF

Blank mailed _____
Proof received _____
Date certificate issued _____

SEE OATH
on 12/16/93
Letter

DD
10/27/94



Oregon

John A. Kitzhaber, MD, Governor

File

Water Resources Department

North Mall Office Building

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

November 14, 2014

**COUNTY OF BENTON; CASCADE VIEW WATER DISTRICT HOMEOWNERS
ASSOCIATION**

360 SW AVERY AVE

CORVALLIS, OR 97333

REFERENCE: Application G-13066 / Permit G-12309

Dear Permit Holder:

The Water Right Services Division received your written progress report for 2014 Permit G-12309. Receipt of the progress report was published on the Department's weekly Public Notice, dated October 7, 2014. The Department did not receive any public comment on the progress report.

After reviewing your Progress Report, the Department determined that diligence toward completion of the project and compliance with the terms and conditions of the permit and extension has been demonstrated.

Your next written progress report for Permit G-12309 is due no later than **October 1, 2019**. The report must be received by the Department no sooner than 30 days prior to the due date.

For your convenience, I have enclosed your next *Progress Report Form*. Please calendar this October 1, 2019 due date, as no further reminders will be sent.

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2024.

Failure to submit a written progress report will most likely result in any future extensions being denied.

If you have any questions, please feel free to contact me by telephone at (503) 986-0802.

Sincerely,

Machelle A Bamberger

Extensions

Water Right Services Division

Enclosure

cc: Application G-13066
Watermaster District 16 – Joel Plahn

Route Slip.....Extension of Time Progress Report

1. Extension Specialist: Progress Report Review

WRIS) Date Report was Due: 10/1/2014 (= "Deadline Date" for the corresponding ECP work flow record in

Date Report Received: 9/26/2014

Report Complete: YES

NO – Send letter requesting missing information.

letter mailed on: _____

2. Support Staff: Publish on the Department's Public Notice

315 320 OAR Division under which Progress Report was required

Publish on Public Notice Date: 10-7-14

Update workflow in WRIS

(Fill in Extension Checkpoint 'Completed Date' in appropriate "ECP" work flow record and

add record for Checkpoint Public Notice ("EPR" or "EP2")

Return file to Machelle Bamberger.

3. Extension Specialist: Prepare Progress Report Confirmation Letter

See progress report procedures.doc

(date / mail out after 30 day comment period)

Date Confirmation Letter Needed: 10/30/2014

Update Progress Report Worksheet.xls moved to 2019

Send to permit holder + anyone who made comments after 30 day public notice

CC: Watermaster _____

File _____

PUBLIC NOTICE INFORMATION

Permit Holder's Name: County of Benton; Cascade View Water District Homeowners Association

Attn:

Application: G-13066

Permit: G-12309

County: Benton

Source: Four wells in Bowers Slough Basin within the Willamette Basin

Use: Domestic use for 60 unit subdivision



**PUBLIC WORKS
NATURAL AREAS AND PARKS
COMMUNITY DEVELOPMENT DEPARTMENT**

360 SW Avery Avenue
Corvallis, OR 97333-1192

(541) 766-6821
(541) 766-6871
(541) 766-6819
FAX (541) 766-6891

RECEIVED BY OWRD

SEP 25 2014

SALEM, OR

FAX

Date: 9/25/14

To: Ann Reece
Water Resources Department

FAX NUMBER: 503-986-0904

Phone Number: _____

From: Chris Bielenberg

Item(s) Being Transmitted: Progress Report for Cascade View
County Service District. Original is being mail tomorrow 9/26/2014

NUMBER OF PAGES 3 (including this cover sheet)

Reply Necessary

NO Reply Necessary

*If transmission problems have occurred,
Please contact Evelyn or Joyce at (541) 766-6821*

RECEIVED BY OWRD



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

SEP 25 2014

SALEM, OR

**Extension of Time
 Progress Report Form
 For Checkpoints**

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holders: BENTON COUNTY; CASCADE VIEW HOMEOWNERS ASSOCIATION

Application G-13066
 Permit G-12309

Report Due no later than **October 1, 2014**

Progress Report Form for 2014

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit G-12309

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2009 and October 1, 2014	FINANCIAL INVESTMENT
	See attached	

2. Compliance with terms and conditions of the permit and/or previous extension.

3. Total number of acres irrigated to date = N/A (if applicable)

4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.

Maximum rate used to date = _____ cfs (cubic feet per second)

Maximum rate used to date = 74 gpm (gallons per minute)

Acre-feet stored to date = _____ AF

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.

Signature

Chris Biberberg

Date

9.25.14

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: 10-7-14

Reviewed by:

Machelle Bamberg

Date: 9-29-14

Cascade View Accomplishments 2009 to 2014

2009-10

Performed major repairs on transmission lines 6-2009 \$1,500

Made major repairs on distribution service 6-19-2009 \$400

Installed new master meter at reservoir 12-2009 \$634

2010-11

Installed new service meter connection on pressure system \$150

Repaired major leak in connection 10-13-2010 \$200

Installed new pump house master meter well #4 7-2010 \$450

Completed major leak detection in transmission line 9-2010 \$600

2011-12

Repaired major leak in service line and replaced meter 11-2011 \$400

2012-13

Repaired one major leak in service line 8-17-2012 \$500

Flooding on 1-18 thru 1-20 2012 total of 17 hours @ \$55 per hour =\$935

FEMA repairs to transmission and distribution line, repair ditches and road way \$5,807.60

2013-14

Replaced check valve on Booster Pump #1 at pump house #3, 3-1-2013 \$200

Installed new 4" master meter in pump house #2 4-30-2013 \$600

Installed 3 sample stations 5-14-2013 \$1,000

RECEIVED BY OWRD

SEP 25 2014

SALEM, OR



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

**Extension of Time
 Progress Report Form
 For Checkpoints**

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT
 Permit Holders: BENTON COUNTY; CASCADE VIEW HOMEOWNERS ASSOCIATION

Application G-13066
 Permit G-12309

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	See attached	

2. **Compliance with terms and conditions of the permit and/or previous extension.**

RECEIVED BY OWRD

SEP 29 2014

3. **Total number of acres irrigated to date =** N/A (if applicable)

SALEM, OR

4. **Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.**

Maximum rate used to date = _____ cfs (cubic feet per second)

Maximum rate used to date = 74 gpm (gallons per minute)

Acre-feet stored to date = _____ AF

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.

Signature Chris Biberberg Date 9.25.14

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: _____

Reviewed by: _____

Date: _____

Cascade View Accomplishments 2009 to 2014

2009-10

Performed major repairs on transmission lines 6-2009 \$1,500

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RECEIVED BY OWRD

SEP 29 2014

SALEM, OR



**PUBLIC WORKS
NATURAL AREAS AND PARKS
COMMUNITY DEVELOPMENT DEPARTMENT**

360 SW Avery Avenue
Corvallis, OR 97333-1192

(541) 766-6821
(541) 766-6871
(541) 766-6819
FAX (541) 766-6891

FAX

Date: 9/25/14

To: Ann Reece
Water Resources Department

RECEIVED BY OWRD

SEP 29 2014

SALEM, OR

FAX NUMBER: 503-986-0904

Phone Number: _____

From: Chris Bielenberg

Item(s) Being Transmitted: Progress Report for Cascade View

County Service District. Original is being mail tomorrow 9/26/2014

NUMBER OF PAGES 3 (including this cover sheet)

Reply Necessary

NO Reply Necessary

*If transmission problems have occurred,
Please contact Evelyn or Joyce at (541) 766-6821*



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

July 29, 2011

COUNTY OF BENTON; CASCADE VIEW WATER DISTRICT HOMEOWNERS
ASSOCIATION
360 SW AVERY AVE
CORVALLIS, OR 97333

REFERENCE: Application G-13066 / Permit G-12309

Dear Permit Holder:

The Water Right Services Division received your written progress report for Permit G-12309. Receipt of the progress report was published on the Department's weekly Public Notice, dated June 14, 2011. The Department did not receive any public comment on the progress report.

After reviewing your Progress Report, the Department determined that diligence toward completion of the project and compliance with the terms and conditions of the permit and extension has been demonstrated.

Your next written progress report for Permit G-12309 is due no later than **October 1, 2014**. The report must be received by the Department no sooner than 30 days prior to the due date. You also have (a) future report(s) that will be due by October 1, 2019.

For your convenience, I have enclosed your next *Progress Report Form*. Please calendar this October 1, 2014 due date, as no further reminders will be sent.

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2024. ***Failure to submit a written progress report will most likely result in any future extensions being denied.***

If you have any questions, please feel free to contact me by telephone at (503) 986-0827.

Sincerely,

Ann Reece

Extensions

Water Rights Services Division

Enclosure

cc: Application G-13066
Watermaster District 16 – Mike McCord



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Extension of Time Progress Report Form For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holders: BENTON COUNTY; CASCADE VIEW HOMEOWNERS ASSOCIATION

Application G-13066
 Permit G-12309

Report Due no later than **October 1, 2009**

Progress Report Form for 2009

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit G-12039

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2004 and October 1, 2009	FINANCIAL INVESTMENT
	<i>See attached</i>	

2. **Compliance with terms and conditions of the permit and/or previous extension.**

OK

RECEIVED

APR 22 2010

WATER RESOURCES DEPT
SALEM, OREGON

3. Total number of acres irrigated to date = N/A (if applicable)

4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.

Maximum rate used to date = _____ cfs (cubic feet per second)

Maximum rate used to date = 74 gpm (gallons per minute)

Acre-feet stored to date = _____ AF

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.

Signature Chris Bulerbus

Date 4/21/10

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: 6-21-2011

Reviewed by: AKR

Date: 7-29-2011

**Cascade View October 1, 2004 thru October 1, 2009
List of all Work Accomplished and Financial Investments**

- 1. 2 New pressure tanks at pump station #3 Aug 2005 Total Cost \$2,141.64**
- 2. 2 New booster pump and motors at pump station 3 Aug 2005 Total Cost \$1,295.82**
- 3. Rebuilt Boost Pump at Pump Station 3 Aug 2005 Total Cost \$175.00**
- 4. New Well Pump at Well 4 Sept 2006 Total Cost \$927.26**
- 5. New 2" Turbine Master Water Meter at Well 1 Dec 2008 Total Cost \$503.89**
- 6. New 200 amp Breaker Panel at Pump Station 1 Sept 2007 Total Cost \$679.38**
- 7. New Air Release Valve at Sisters July 2006 Total Cost \$344.12**
- 8. Leak Detection Sept 2009 Total Cost \$1,200.00**

RECEIVED

APR 22 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

Route Slip.....Extension of Time Progress Report

1. Extension Specialist: Progress Report Review

Date Report Received: 4/22/10

Report Complete: YES

2. Jonnine: Publish on the Department's Public Notice

315 OAR Division under which Progress Report was required

- Publish on Public Notice Date: 6/14/11 JPS
- Update workflow in WRIS (Fill in Extension Checkpoint 'Completed Date' in appropriate work flow record) 2009
- Return to Extension Specialist

3. Extension Specialist: Prepare Progress Report Confirmation Letter

See progress report procedures.doc

(date / mail out after 30 day comment period)

Date Confirmation Letter Needed:

- Update Progress Report Worksheet.xls
- Send to permit holder + anyone who made comments after 30 day public notice
CC: Watermaster _____
File _____

4. Return file to cabinet

PUBLIC NOTICE INFORMATION

Permit Holder's Name: COUNTY OF BENTON; CASCADE VIEW WATER DISTRICT
HOMEOWNERS ASSOCIATION

Application: G-13066

Permit: G-12309

County: Benton

Source: Four Wells in Bowers Slough within the Willamette Basin

Use: Domestic Use for 60 Unit Subdivision

Oregon Water Resources Department
PERMIT CONDITION WATER-LEVEL REPORTING FORM

Well Owner:

Name: Benton County Cascade View Water District Homeowners
Address: 360 SW Avery Avenue
City: Corvallis State: OR Zip: 97333
Phone: (541) 766-6821 Fax: (541) 766-6891
RE: Required Water-Level Report for Well(s) on Permit: G 12309 Certificate: 0

Our records indicate that you are the holder of a ground water permit that requires that you periodically measure and report static water levels in your well(s). If you are no longer the holder of this permit or no longer have an interest in it, please contact our department. **Consult your permit to determine the required times for measuring and reporting, as well as any requirements regarding who may make the measurements.** We recommend that you keep a copy of all measurement reports for your records. All measurements should be made to at least the nearest tenth of a foot or to the nearest inch (e.g. 10.2 feet or 10 feet 3 inches).

MEASUREMENT REPORT
(Complete one form for each well)

RECEIVED

Well Identification (provide as much of the following information as possible):

Original Owner of Well (owner name on well log): Marvin McDougal
Owner's Well Name or Number (if any): Well #1/#2395 at Cascade View Estates
Well ID (number on tag attached to well casing, if present): None Found
Well Log Startcard Number (if listed on well log): None Found
Well Depth: 405.00 Casing Diameter: 6.00 inches
Date Drilled: 11/04/1991 Driller: McDougal Bros. Inc.

MAR 23 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

When did water use begin under this permit from this well? Date: Month/YR. 11/01/1992

Show all water rights listing this well:

Application Number(s): G-13066
Permit Number(s): G-12309
Certificate Number(s): PWS 4101456

Date of measurement: 09/25/2009

Description of measuring point (e.g. 3/4 inch access port in sanitary seal): 1/2" port on South side 6" casing @ well #1

Static water level below measuring point: 155.50 feet, or airline pressure _____ psi
Measuring point distance above land surface: 1.25 feet, or airline length _____ feet
Static Water Level below land surface: 154.25 feet
Shut-in pressure (if a flowing artesian well): _____ psi

Method of measurement: E-tape Airline Other (specify) Powers well sounder cable
Water-level status when measured: Static Pumping Recovering Flowing
Length of time well was idle before measurement: _____

Calculations / Comments (show all work): Lower cable until transmitter sounds - indicating static level.
Cable accuracy within 0.005%

I hereby certify that, to the best of my ability, the information on this report is accurate and, at the time of the measurement representative of the static water level in the aquifer.

Person making measurement (print): Robert P. Miller

Signature of measurer: *Robert P. Miller*

Company: Benton County Public Works Department

License number (CWRE, RG, WWC, PE, CONS. BOARD #): _____

Daytime phone number: (541) 766-6821 Email address: Robert.P.MILLER@Co.Benton.OR.US

If you have questions about this notice, please call the Ground Water / Hydrology Section of the Department at 503-378-8455 ext. 289. Return Form to 158 12th St. NE Salem, OR. 97301-4172.

Oregon Water Resources Department
PERMIT CONDITION WATER-LEVEL REPORTING FORM

Well Owner:

Name: Benton County Cascade View Water District Homeowners
Address: 360 SW Avery Avenue
City: Corvallis State: OR Zip: 97333
Phone: (541) 766-6821 Fax: (541) 766-6891
RE: Required Water-Level Report for Well(s) on Permit: G 12309 Certificate: 0

Our records indicate that you are the holder of a ground water permit that requires that you periodically measure and report static water levels in your well(s). If you are no longer the holder of this permit or no longer have an interest in it, please contact our department. **Consult your permit to determine the required times for measuring and reporting, as well as any requirements regarding who may make the measurements.** We recommend that you keep a copy of all measurement reports for your records. All measurements should be made to at least the nearest tenth of a foot or to the nearest inch (e.g. 10.2 feet or 10 feet 3 inches).

MEASUREMENT REPORT
(Complete one form for each well)

RECEIVED

Well Identification (provide as much of the following information as possible):

Original Owner of Well (owner name on well log): Marvin McDougal
Owner's Well Name or Number (if any): Well #2
Well ID (number on tag attached to well casing, if present): None Found
Well Log Startcard Number (if listed on well log): None Found
Well Depth: 405.00 Casing Diameter: 6.00 inches
Date Drilled: 10/01/1991 Driller: McDougal Bros. Inc.

MAR 23 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

When did water use begin under this permit from this well? Date: Month/YR. 11/01/1992

Show all water rights listing this well:

Application Number(s): G-13066
Permit Number(s): G-12309
Certificate Number(s): PWS 4101456

Date of measurement: 09/25/2009

Description of measuring point (e.g. 3/4 inch access port in sanitary seal): 1/2" port on South side 6" casing @ well #2

Static water level below measuring point: 27.25 feet, or airline pressure _____ psi
Measuring point distance above land surface: 0.50 feet, or airline length _____ feet
Static Water Level below land surface: 26.75 feet
Shut-in pressure (if a flowing artesian well): _____ psi

Method of measurement: E-tape Airline Other (specify) Powers well sounder cable
Water-level status when measured: Static Pumping Recovering Flowing
Length of time well was idle before measurement: _____

Calculations / Comments (show all work): Lower cable until transmitter sounds - indicating static level.
Cable accuracy within 0.005%

I hereby certify that, to the best of my ability, the information on this report is accurate and, at the time of the measurement representative of the static water level in the aquifer.

Person making measurement (print): Robert P. Miller

Signature of measurer: *Robert P. Miller*

Company: Benton County Public Works Department

License number (CWRE, RG, WWC, PE, CONS. BOARD #): _____

Daytime phone number: (541) 766-6821 Email address: Robert.P.MILLER@Co.Benton.OR.US

If you have questions about this notice, please call the Ground Water / Hydrology Section of the Department at 503-378-8455 ext. 289. Return Form to 158 12th St. NE Salem, OR. 97301-4172.

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Well Owner:

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Phone: (541) 766-6821 Fax: (541) 766-6891
RE: Required Water-Level Report for Well(s) on Permit: G 12309 Certificate: 0

Our records indicate that you are the holder of a ground water permit that requires that you periodically measure and report static water levels in your well(s). If you are no longer the holder of this permit or no longer have an interest in it, please contact our department. **Consult your permit to determine the required times for measuring and reporting, as well as any requirements regarding who may make the measurements.** We recommend that you keep a copy of all measurement reports for your records. All measurements should be made to at least the nearest tenth of a foot or to the nearest inch (e.g. 10.2 feet or 10 feet 3 inches).

MEASUREMENT REPORT
(Complete one form for each well)

Well Identification (provide as much of the following information as possible):

Original Owner of Well (owner name on well log): Marvin McDougal
Owner's Well Name or Number (if any): Well #3
Well ID (number on tag attached to well casing, if present): None Found
Well Log Startcard Number (if listed on well log): None Found
Well Depth: 700.00 Casing Diameter: 6.00 inches
Date Drilled: 10/01/1991 Driller: McDougal Bros. Inc.

RECEIVED

MAR 23 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

When did water use begin under this permit from this well? Date: Month/YR. 11/01/1992

Show all water rights listing this well:

Application Number(s): G-13066
Permit Number(s): G-12309
Certificate Number(s): PWS 4101456

Date of measurement: 09/25/2009

Description of measuring point (e.g. 3/4 inch access port in sanitary seal): 1/2" port on South side 6" casing @ well #3

Static water level below measuring point: 48.50 feet, or airline pressure _____ psi
Measuring point distance above land surface: 0.50 feet, or airline length _____ feet
Static Water Level below land surface: 48.00 feet
Shut-in pressure (if a flowing artesian well): _____ psi

Method of measurement: E-tape Airline Other (specify) Powers well sounder cable
Water-level status when measured: Static Pumping Recovering Flowing
Length of time well was idle before measurement: _____

Calculations / Comments (show all work): Lower cable until transmitter sounds - indicating static level.
Cable accuracy within 0.005%

I hereby certify that, to the best of my ability, the information on this report is accurate and, at the time of the measurement representative of the static water level in the aquifer.

Person making measurement (print): Robert P. Miller
Signature of measurer: *Robert P. Miller*

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Well Owner:

Name: Benton County Cascade View Water District Homeowners
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MEASUREMENT REPORT
(Complete one form for each well)

RECEIVED

Well Identification (provide as much of the following information as possible):

Original Owner of Well (owner name on well log): Marvin McDougal
Owner's Well Name or Number (if any): Well #4
Well ID (number on tag attached to well casing, if present): None Found
Well Log Startcard Number (if listed on well log): None Found
Well Depth: 305.00 Casing Diameter: 6.00 inches
Date Drilled: 10/26/1991 Driller: McDougal Bros. Inc.

MAR 23 2010

WATER RESOURCES DEPT
SALEM, OREGON

When did water use begin under this permit from this well? Date: Month/YR. 11/01/1992

Show all water rights listing this well:

Application Number(s): G-13066
Permit Number(s): G-12309
Certificate Number(s): PWS 4101456

Date of measurement: 09/25/2009

Description of measuring point (e.g. 3/4 inch access port in sanitary seal): 1/2" port on South side 6" casing @ well #4

Static water level below measuring point: 9.50 feet, or airline pressure _____ psi
Measuring point distance above land surface: 1.02 feet, or airline length _____ feet
Static Water Level below land surface: 8.48 feet
Shut-in pressure (if a flowing artesian well): _____ psi

Method of measurement: E-tape Airline Other (specify) Powers well sounder cable
Water-level status when measured: Static Pumping Recovering Flowing
Length of time well was idle before measurement: _____

Calculations / Comments (show all work): Lower cable until transmitter sounds - indicating static level. Cable accuracy within 0.005%

I hereby certify that, to the best of my ability, the information on this report is accurate and, at the time of the measurement representative of the static water level in the aquifer.

Person making measurement (print): Robert P. Miller

Signature of measurer: 

Company: Benton County Public Works Department

License number (CWRE, RG, WWC, PE, CONS. BOARD #): _____

Daytime phone number: (541) 766-6821 Email address: Robert.P.MILLER@Co.Benton.OR.US

If you have questions about this notice, please call the Ground Water / Hydrology Section of the Department at 503-378-8455 ext. 289. Return Form to 158 12th St. NE Salem, OR. 97301-4172.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

February 4, 2010

BENTON COUNTY; CASCADE VIEWHOMWEOWNERS ASSOCIATION
360 SW AVERY AVE
CORVALLIS, OR 97333

REFERENCE: Application G-13066 / Permit G-12309

Dear Permit Holder:

On July 19, 2007 the Department issued a Final Order approving an Extension of Time for Permit G-12309. This Final Order included a condition that required the permit holder to submit a written progress report to the Department by October 1, 2009. This letter is being sent to you because the Department has not yet received the progress report.

For your convenience, I have enclosed a **Progress Report Form** for 2009 and an additional form for your next progress report which is due October 1, 2014. In order to maintain the ability to continue developing water under this permit, you should submit your overdue progress report immediately.

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2024. *Failure to submit a written progress report may jeopardize continued development of your permit beyond October 1, 2024, as future extensions are evaluated on past due diligence, and consequently may not be granted.*

If you have any questions concerning this matter, you may contact me by telephone at (503) 986-0813.

Sincerely,

Scott Kudlemyer
Extensions
Water Rights and Adjudications Division

Enclosure
cc:

Application G-13066
Watermaster District 16 – Mike McCord

Permit # 612309

App. # 6/3066

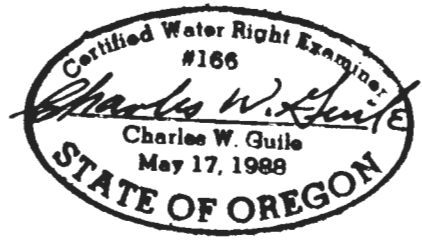
T 11 S. R. 5 W. W. M.
 SECTIONS 2 & 11
 WATER RIGHT APPLICATION
 MAP FOR
 McDougall Bros. Investments
 CASCADE VIEW ESTATES
 BELTON COUNTY, OREGON

RECEIVED

SEP 18 1992

WATER RIGHTS DEPT.
 SALEM, OREGON

CHARLES W. GUILÉ
 & ASSOCIATES, CO.
 Land Surveying
 52 Centennial Loop
 Eugene, OR 97401



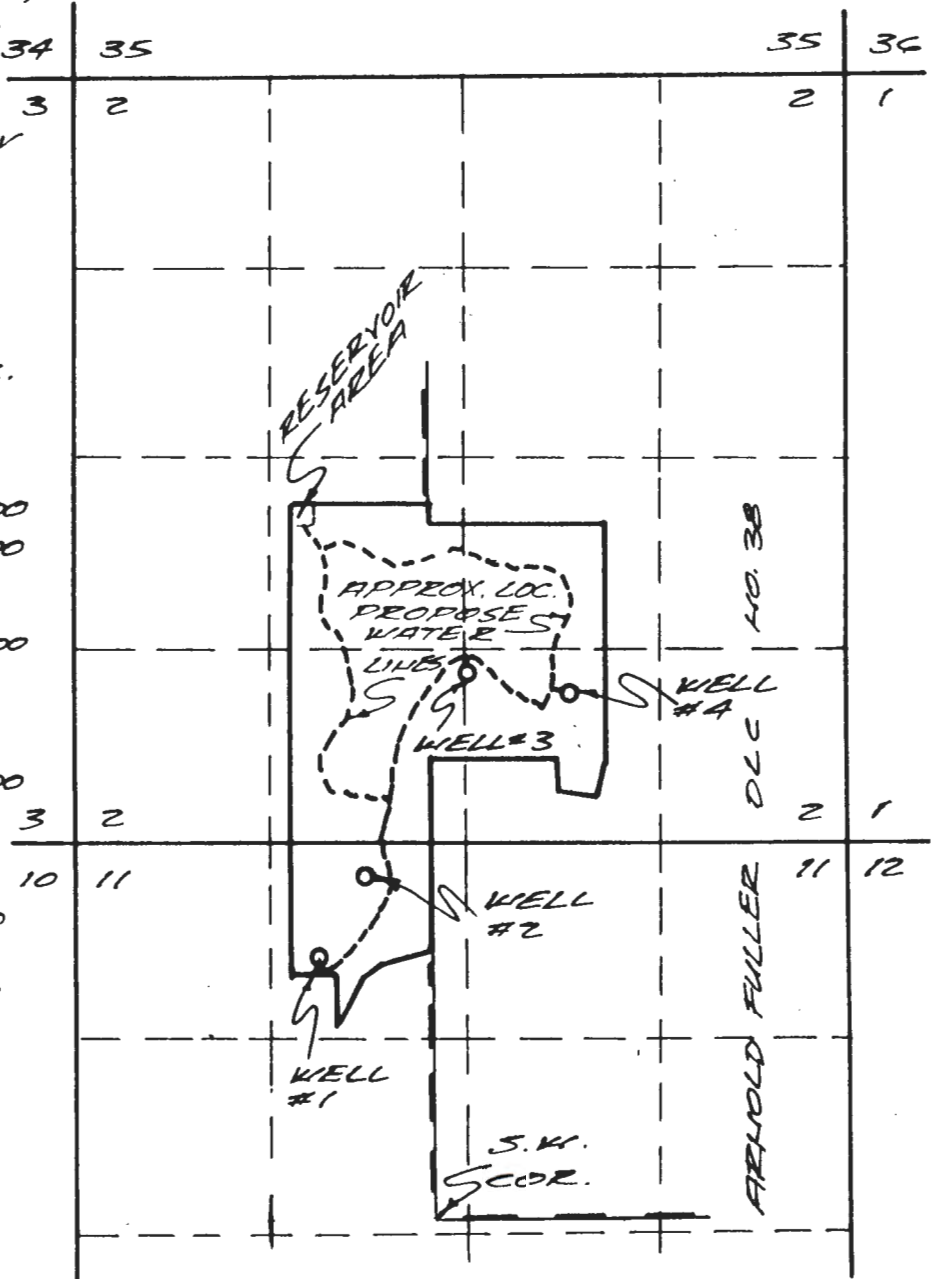
THIS MAP IS FOR WATER
 RIGHT PURPOSES ONLY
 AND IS NOT INTENDED
 TO PROVIDE
 DIMENSION FOR
 LOCATING PROPERTY
 BOUNDARIES

FROM THE S.W. COR.
 OF THE FULLER
 D.L.C. NO. 38

- 1) WELL #1 IS 1760.00
 NORTH AND 790.00
 WEST
- 2) WELL #2 IS 2300.00
 FEET NORTH AND
 460.00 WEST
- 3) WELL #3 IS 3670.00
 NORTH AND 200
 FEET EAST
- 4) WELL #4 IS 3540.0
 FEET NORTH AND
 940.00 FEET EAST



SCALE 1" = 1320'
 JULY 31, 1992



STATE OF OREGON

COUNTY OF Benton

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BENTON COUNTY/CASCADE VIEW WATER DISTRICT HOMEOWNERS ASSOCIATION
360 SW AVERY AVE
CORVALLIS, OREGON 97333

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-13066

SOURCE OF WATER: FOUR WELLS IN BOWERS SLOUGH BASIN WITHIN THE WILLAMETTE BASIN

PURPOSE OR USE: DOMESTIC USE FOR 60 UNIT SUBDIVISION

RATE OF USE: 0.08 CFS

PERIOD OF ALLOWED USE: YEAR AROUND

DATE OF PRIORITY: AUGUST 6, 1992

POINT OF DIVERSION LOCATION: NE 1/4 NW 1/4, SECTION 11, SW 1/4 SE 1/4, SECTION 2, TOWNSHIP 11 SOUTH, RANGE 5 WEST; WELL 1 - 1760 FEET NORTH & 790 FEET WEST, WELL 2 - 2300 FEET NORTH & 460 FEET WEST, WELL 3 - 3670 FEET NORTH & 220 FEET EAST, WELL # 4 - 3540 FEET NORTH & 940 FEET EAST; ALL FROM THE SW CORNER OF FULLER DLC 38

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4
SE 1/4 SW 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4
SECTION 2
NE 1/4 NW 1/4
SECTION 11

TOWNSHIP 11 SOUTH, RANGE 5 WEST, W.M.

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such

Application G-13066 Water Resources Department

PERMIT G-12309

installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The permittee shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to measure static water levels within the permitted well(s) **in March and again in September** or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the permittee shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the permittee's or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The permittee shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

Any water use under this permit must be exercised in accordance with the Water Management Plan for Cascade View Water Supply System, of January 26, 1994, number PW 6598/202/PC2, on file with the Department.

STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

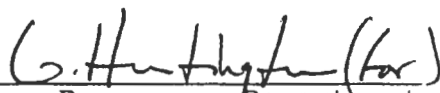
This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued March 15, 1996


Water Resources Department
Martha O. Pagel
Director

BC 4

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13066

Final Order
Extension of Time for Permit Number G-12309

Appeal Rights

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

The Department issued Permit G-12309 on March 15, 1996. The permit called for completion of construction by October 1, 1998 and complete application of water to beneficial use by October 1, 1999. On September 14, 2005, Benton County/Cascade View Water District Homeowners Association submitted to the Department an Application for Extension of Time for Permit G-12309. In accordance with OAR 690-315-0050(2), on May 22, 2007, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2024 and the time to fully apply water to beneficial use to October 1, 2024. The protest period closed July 6, 2007, in accordance with OAR 690-315-0060(1). No protest was filed.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Diligence Progress Report to the Department by **October 1, in the years 2009, 2014 and 2019. A form for each year is enclosed for your use.**

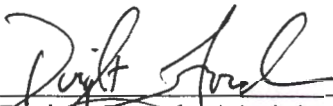
- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

Order

The extension of time for Application G-13066, Permit G-12309, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended to October 1, 2024. The deadline for applying water to full beneficial use is extended to October 1, 2024.

DATED: July 19, 2007



Dwight French, Administrator of
Water Rights and Adjudications
for
Phillip C. Ward, Director

-
- If you have any questions about statements contained in this document, please contact Kim French at (503) 986-0813.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Extension of Time Diligence Progress Reporting Form For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Benton County/Cascade View
 Water District Homeowners Association

Application G-13066
 Permit G-12309

Report Due no later than October 1, 2009

Diligence Progress Report for 2009

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-12309

INSERT DATES	WORK ACCOMPLISHED and FINANCIAL INVESTEMENT SINCE OCTOBER 1, 2004 <i>List all work done after the last authorized date for complete application of water up to the date of this Diligence Progress Reporting Form</i>	FINANCIAL INVESTEMENT

2. Compliance with terms and conditions of the permit and/or previous extension.

3. Total number of acres irrigated to date= _____ (if applicable)

4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.

Maximum rate = _____ cfs (cubic feet per second)

Maximum rate = _____ gpm (gallons per minute)

Acre Feet Stored = _____ AF

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet – usually only specified on a reservoir water right). Do not provide daily, monthly or annual water use totals.

Signature _____

Date _____

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: _____

Reviewed by: _____

Date: _____



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Extension of Time Diligence Progress Reporting Form For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Benton County/Cascade View
 Water District Homeowners Association

Application G-13066
 Permit G-12309

Report Due no later than October 1, 2014

Diligence Progress Report for 2014

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-12309

INSERT DATES	WORK ACCOMPLISHED and FINANCIAL INVESTEMENT SINCE OCTOBER 1, 2009 <i>List all work done after the last authorized date for complete application of water up to the date of this Diligence Progress Reporting Form</i>	FINANCIAL INVESTEMENT

2. Compliance with terms and conditions of the permit and/or previous extension.

3. Total number of acres irrigated to date= _____ (if applicable)

4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.

Maximum rate = _____ cfs (cubic feet per second)

Maximum rate = _____ gpm (gallons per minute)

Acre Feet Stored = _____ AF

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet – usually only specified on a reservoir water right). Do not provide daily, monthly or annual water use totals.

Signature _____

Date _____

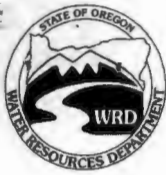
For OWRD use only

Diligence Shown Yes No

Date Public Noticed: _____

Reviewed by: _____

Date: _____



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Extension of Time Diligence Progress Reporting Form For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Benton County/Cascade View
 Water District Homeowners Association

Application G-13066
 Permit G-12309

Report Due no later than October 1, 2019

Diligence Progress Report for 2019

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-12309

INSERT DATES	WORK ACCOMPLISHED and FINANCIAL INVESTEMENT SINCE OCTOBER 1, 2014 <i>List all work done after the last authorized date for complete application of water up to the date of this Diligence Progress Reporting Form</i>	FINANCIAL INVESTEMENT

2. Compliance with terms and conditions of the permit and/or previous extension.

3. Total number of acres irrigated to date= _____ (if applicable)

4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.

Maximum rate = _____ cfs (cubic feet per second)

Maximum rate = _____ gpm (gallons per minute)

Acre Feet Stored = _____ AF

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet – usually only specified on a reservoir water right). Do not provide daily, monthly or annual water use totals.

Signature _____

Date _____

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: _____

Reviewed by: _____

Date: _____

Mailing List for Extension FO Copies

Note: Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.

FO Date: July 19, 2007

Copies Mailed

**Application G-13066
Permit G-12309**

By: JB
On: 7/19/07

Original mailed to permit holder

Benton County/Cascade View Water District Homeowners Association
Attn: Chris Bielenberg
360 SW Avery Ave.
Corvallis, OR 97333-1192

Copies sent to:

1. WRD - App. File G-13066/ Permit G-12309
2. WRD- Ken Stahr
3. WRD - Support Staff, Salem...*Permit record update*

Fee paid as specified under ORS 536.050 to receive copy:

4. None

Receiving via e-mail (10 AM day of signature date)

5. WRD – Water Master District 16 – Mike McCord, Salem
Done by by Date 7/19/07

CASEWORKER: KRF

**Oregon Water Resources Department
Water Rights Division**

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit G-12309, Water Right Application G-13066) PROPOSED FINAL ORDER
in the name of Benton County/Cascade View Water)
District Homeowners Association)

Permit Information

Application File G-13066 Permit G-12309

Basin: 2 – Willamette/ Watermaster District 16
Date of Priority: August 6, 1992

Authorized Use of Water

Source of Water: Four Wells within the Bowers Slough Basin
Purpose of Use: Domestic Use for 60 Unit Subdivision
Maximum Rate: 0.08 Cubic Feet per Second (cfs)

**This Extension of Time request is being processed in accordance with Oregon
Administrative Rule Chapter 690, Division 315**

***Please read this Proposed Final Order in its entirety as it contains
additional conditions not included in the original permit.***

This Proposed Final Order applies only to Permit G-12309, water right Application G-13066.
A copy of Permit G-12309 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant an extension of time for complete construction of the water system from October 1, 2004 to October 1, 2024, and
- grant an extension of time to apply water to full beneficial use from October 1, 2004 to October 1, 2024.
- make the extension subject to certain conditions set forth below.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources
PFO – Proposed Final Order

Units of Measure

cfs – cubic feet per second
gpm – gallons per minute

AUTHORITY

Generally, see ORS 537.630 and OAR Chapter 690 Division 315.

ORS 537.630(1) provide in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, order an extension of time within which: irrigation or other works shall be completed; the well or other means of developing and securing ground water shall be completed; or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0040 provides in pertinent part that the Water Resources Department shall make findings to determine if an extension of time may be approved to complete construction and/or apply water to full beneficial use.

OAR 690-315-0050(6) requires the Department, for extensions exceeding five years, to establish checkpoints to determine if diligence is being exercised in the development and perfection of the water use permit. Intervals between checkpoints will not exceed five year periods.

FINDINGS OF FACT

Background

1. Permit G-12309 was granted by the Department on March 15, 1996. The permit authorizes the use of up to 0.08 cfs of water from four wells, for domestic use for 60 unit subdivision. The permit specified actual construction of the well was to begin by March 15, 1997, construction of the water system was to be completed by October 1, 1998, and complete application of water was to be made on or before October 1, 1999.
2. One prior permit extension has been granted for Permit G-12309 resulting in the completion dates for construction and full application of water being extended from October 1, 1999 to October 1, 2004.
3. The permit holder submitted an “Application for Extension of Time” to the Department on September 14, 2005 requesting the time to complete construction of the water system and the time to apply water to full beneficial use under the terms of Permit G-12309 be extended from October 1, 2004 to October 1, 2024.
4. Notification of the Application for Extension of Time for Permit G-12309 was published in the Department’s Public Notice dated September 20, 2005. No public comments were received regarding the extension application.
5. On May 9, 2007, the permit holder submitted additional information to supplement their Application for Extension of Time.

Review Criteria [OAR 690-315-0040]

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230¹, 537.248², 537.630³ and/or 539.010(5)⁴.

¹ ORS 537.230 applies to surface water permits only.

² ORS 537.248 applies to reservoir permits only.

³ ORS 537.630 applies to ground water permits only.

⁴ ORS 539.010(5) applies to surface water and ground water permits.

Complete Extension of Time Application [OAR 690-315-0040(1)(a)]

6. On September 14, 2005, the Department received a completed Application for Extension of Time and the fee required by ORS 536.050 from the permit holder.

Start of Construction [OAR 690-315-0040(1)(b) and 690-315-0040(5)]

7. Actual construction of the well began prior to the deadline specified in the permit, being March 15, 1997.

Duration of Extension [OAR 690-315-0040(1)(c)]

Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.

8. As of September 14, 2005, the remaining work to be completed consists of completing construction of the water system and complete application of water to beneficial use.
9. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2024, to complete construction of the water system and to accomplish the application of water to beneficial use under the terms of Permit G-12309 is both reasonable and necessary.

Good Cause [OAR 690-315-0040(1)(d)]

The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0040(2).

Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]

The Department's determination of reasonable diligence shall consider the requirements set forth under OAR 690-315-0040(3)(a-d). In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

Amount of Construction [OAR 690-315-0040(3)(a)]

10. The following construction was completed within the time allowed in the permit or previous extension:
 - a. Construction of the well and water system began prior to the time specified in the permit, being March 15, 1997.
 - b. Work was accomplished (specified in the Application for Extension of Time) during the original development time frame under Permit G-12309.

- c. During the most recent extension period, being from October 1, 1999, to October 1, 2004, the following was accomplished:
 - 6 new connections were established.

Beneficial Use of Water [OAR 690-315-0040(3)(b)]

11. The following beneficial use was made of the water during the permit or previous extension time limits:
 - a. Since the issuance of Permit G-12309 on March 15, 1996, a maximum rate of 0.03 cfs has been appropriated from the well to 49 of the 60 connections.
 - b. Delay of full beneficial use of water under Permit G-12309 was due, in part, to the delay of development and sale of lots for construction of residential dwellings, the potential future modification to the system to increase the reliability of operation to minimize operational failure, and repairs and improvements that were needed after the floods of 1996-1997 damaged the water system.

Compliance with Conditions [OAR 690-315-0040(3)(c)]

12. The water right permit holder's conformance with the permit or previous extension conditions.
 - a. The Department has considered the permit holder's compliance with conditions, and did not identify any concerns.

Financial Investments [OAR 690-315-0040(3)(d)]

13. Financial investments made toward developing the beneficial water use.
 - a. As of September 14, 2005, the permit holder has invested approximately \$300,500, which is 87 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$50,000 investment is needed for the completion of this project.

Cost to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b)]

14. As of September 14, 2005, the permit holder has invested approximately \$300,500 which is 87 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$50,000 investment is needed for the completion of this project.

Good Faith of the Appropriator [OAR 690-315-0040(2)(c)]

15. The Department has found good faith of the appropriator under Permit G-12309.

The Market and Present Demands for Water [OAR 690-315-0040(2)(d-e)]

The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

16. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].
 - a. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-12309; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined at such time that such application for a new water right is submitted. The points of appropriation for Permit G-12309, located within the Bowers Slough Basin, are not located within a limited or critical ground water area. Bowers Slough is not located within or above any state or federal scenic waterway, however it is located within an area ranked "moderate" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. Bowers Slough is listed by the Department of Environmental Quality as a water quality limited stream.
17. Economic investment in the project to date [OAR 690-315-0040(4)(d)].
 - a. As of September 14, 2005, the permit holder has invested approximately \$300,500.
18. Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].
 - a. None have been identified.
19. Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].
 - a. None have been identified.

20. OAR 690-315-0050(6) requires the Department to place a checkpoint condition on this extension of time to ensure diligence is exercised in the development and perfection of the water use permit. A “Checkpoint Condition” is specified under Item 1 of the “Conditions” section of this PFO to meet this condition.

Fair Return Upon Investment [OAR 690-315-0040(2)(f)]

21. Use and income from the permitted water development results in reasonable returns upon the investment made to date.

Other Governmental Requirements [OAR 690-315-0040(2)(g)]

22. Delay in the development of this project was not caused by any other governmental requirements.

Unforeseen Events [OAR 690-315-0040(2)(h)]

23. Unforeseen events extended the length of time needed to fully develop and perfect Permit G-12309, caused mainly by damage that was caused to the system during the floods of 1996-1997. Repairs and improvements were then made to restore the system using FEMA funding. This delayed progression in development.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).
2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
4. Completion of construction and full application of water to beneficial use can be accomplished by October 1, 2024⁵, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and

⁵Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use.

reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

6. As required by OAR 690-315-0050(6) and as described in Finding 20 above, the Department has established, as specified in the “Conditions” section of this PFO (Item 1), progress checkpoints in order to ensure future diligence is exercised in the development and perfection of Permit G-12309.

Proposed Order

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

extend the time for complete construction of the water system under Permit G-12309 from October 1, 2004 to October 1, 2024.

extend the time to apply water to beneficial use under Permit G-12309 from October 1, 2004 to October 1, 2024.

Subject to the following conditions:

CONDITIONS

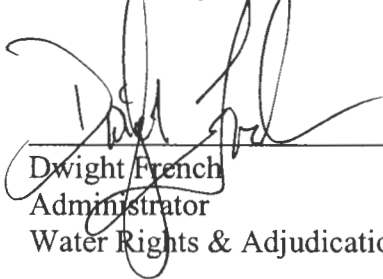
1. Checkpoint Condition

The permit holder must submit a completed Diligence Progress Report to the Department by **October 1, in the years 2009, 2014 and 2019. *A form for each year is enclosed for your use.***

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

DATED: May 22, 2007


Dwight French
Administrator
Water Rights & Adjudications Division

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may protest and request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than **July 6, 2007** being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.
2. A written request for contested case hearing shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The protest fee required under ORS 536.050, if petitioner is other than the water right permit holder.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a request for contested case hearing has been submitted, and:



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Extension of Time Diligence Progress Reporting Form For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Benton County/Cascade View
 Water District Homeowners Association

Application G-13066
 Permit G-12309

Report Due no later than October 1, 2014

Diligence Progress Report for 2014

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-12309

INSERT DATES	WORK ACCOMPLISHED and FINANCIAL INVESTEMENT SINCE OCTOBER 1, 2009 <i>List all work done after the last authorized date for complete application of water up to the date of this Diligence Progress Reporting Form</i>	FINANCIAL INVESTEMENT

2. Compliance with terms and conditions of the permit and/or previous extension.

3. Total number of acres irrigated to date= _____ (if applicable)

4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.

Maximum rate = _____ cfs (cubic feet per second)

Maximum rate = _____ gpm (gallons per minute)

Acre Feet Stored = _____ AF

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet – usually only specified on a reservoir water right). Do not provide daily, monthly or annual water use totals.

Signature _____ Date _____

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: _____

Reviewed by: _____

Date: _____

Mailing List for Extension PFO Copies

PFO Date: May 22, 2007

Copies Mailed

**Application G-13066
Permit G-12309**

By: AS
On: 5/22/07

Original mailed to Applicant:

Benton County/Cascade View Water District Homeowners Association
Attn: Chris Bielenberg
360 SW Avery Ave.
Corvallis, OR 97333-1192

Copies sent to:

1. WRD - App. File G-13066/ Permit G-12309

Fee paid as specified under ORS 536.050 to receive copy:

2. None

Receiving via e-mail (10 AM Tuesday of signature date)

3. PFO: WRD – Watermaster District 16 – Mike McCord, Salem
Done by ky Date 5/22/07

CASEWORKER: KRF

Extension PFO Checklist for
Other than Muni or Quasi-Municipal

Water Use Permits
 (OAR 690-315-0010 through OAR 690-315-0060)

Application: G - 13066 Permit: G - 12309

Permittee's Name: BENTON COUNTY / CASCADE VIEW COUNTY SERVICE DISTRICT ASSOC HOMEOWNERS

Permittee's Mailing Address: 360 SW AVERY, CORVALLIS, OR 97333

POD Location: Township 11S Range 5W Section 2 NEW SWSE

Drainage Basin: #2 WILLAMETTE County: BENTON Watermaster District: 16

Date Permit was issued: 3-15-96 Priority Date: 8-6-92 Date of PN: 9-20-05

Source: FOUR WELLS IN BOWERS SLOUGH BASIN WITHIN THE WILLAMETTE BASIN

Use: DOMESTIC USE FOR 60 UNIT SUBDIVISION

"Q": 0.08 CFS

Orig "A" Date: 3-15-97 Orig "B" Date: 10-1-98 Orig "C" Date: 10-1-99

Extension request received: 9-14-05 Last Authorized "B" Date: 10-1-04 Last Authorized "C" Date: 10-1-04

Request Number (...1st, 2nd, 3rd): 2ND Proposed "B" Date: 10-1-2024 Proposed C Date: 10-1-2024

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
✓		<u>BY 3-15-98 → SHALL SUBMIT A PLAN TO MONITOR & REPORT WATER USE IMPACT</u>

Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:

Yes No

- Construction was completed within the time allowed in the permit or previous extension
- Beneficial use made of the water during the permit or previous extension time limits

- Permit holder has beneficially used .03 cfs/gpm/af of the total permitted quantity of water.

- Water right permit holder conformed with the permit or previous extension conditions; and
- Financial investments were made toward developing the beneficial water use.

- Permit holder has invested approximately 87 % of the total estimated cost to complete the project.

- Amount Invested to date: \$ 330,500 Estimated Remaining Cost: \$ 50,000

Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes No

Determination of the market and the present demand for water or power to be supplied:

Ground Water Permits: Identify the closest surface water or localized water basin. FAAZIEL CREEK/BOWERS SLUGH
Is it located...
Surface Water Permits: Is the POD located...

- Yes No
- within or above a state scenic waterway? Source: OWRD "Areas Above State Scenic Waterways" Map
 - within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html#or
 - within a critical or limited Ground Water Area? Name of area _____
 - in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list 1998
 - within a sensitive, threatened or endangered species area source: "/gisdata/dev/projects/salmon/div33map.aml"
 - within an area ranking low / medium / high (circle one) for stream flow restoration needs Source: OWRD "Streamflow Restoration Needs" Maps (by region)

Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. Approval of Extension Request
No ... "Good Cause" cannot be found. Denial of Extension Request

Conditions to be included in Extension PFO (if applicable)? Yes No

(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

- 5-year Progress Report Checkpoints (Years: 2009, 2014, 2019)
- Other: _____

Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

- COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987**
"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."
- COBU Requirement - Surface Water - post July 9, 1987**
"Pursuant to ORS 537.230(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."
- COBU Requirement - Ground Water - post July 9, 1987**
"Pursuant to ORS 537.630(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."

NOTES:

Extension "PFO" Dates
Mailing / Issuance Date: 5/22/07 **Protest Deadline Date:** 7/6/07
Reviewer's Name: Kim French **Date:** 5/14/07

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **77319**

INVOICE # _____

RECEIVED FROM: Benton County
BY: _____

APPLICATION	5-13066
PERMIT	3-12309
TRANSFER	

CASH: CHECK:# 009467 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 250.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	\$
_____	OTHER: (IDENTIFY) _____	\$
0243	I/S Lease _____	
0244	Muni Water Mgmt. Plan _____	
0245	Cons. Water _____	

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY) _____	\$
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$
0240	EXTENSION OF TIME	\$ <u>250.00</u>

WATER RIGHTS:

0201	SURFACE WATER	\$	0202		\$
0203	GROUND WATER	\$	0204		\$
0205	TRANSFER	\$			

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	\$	0219		\$
	LANDOWNER'S PERMIT		0220		\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD #	
0210	MONITORING WELLS	\$	CARD #	
_____	OTHER (IDENTIFY) _____			

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)	\$
0231	HYDRO LICENSE FEE (FW/WRD)	\$
_____	HYDRO APPLICATION	\$

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **77319**

DATED: 9/14/05 BY: Joan Smith

1. Did water system construction/well drilling begin within the time specified in the permit [yes/no]?
Yes, at this time there are 11 of the original 60 connections presently remaining to be developed.

2. Has construction of diversion/appropriation works, distribution system, and use of water, if any, been accomplished consistent with the limitations and conditions of this permit [yes/no]?

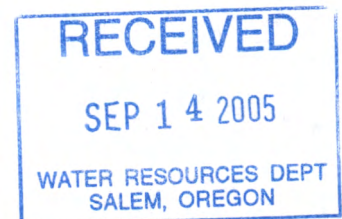
Yes

A) Please describe how you have complied with each applicable permit condition (**NOTE: the instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review**).
49 of 60 connections have been developed. All lots in the District have been developed. Remaining connections are reserved for existing off site residences that develop water problems. This was a condition of the development process for approval. The existing water system has been constructed as originally designed.

B) If you have not complied with all applicable conditions, please explain the reasons why and indicate a date certain, in the near future, by which time you will be in compliance with applicable conditions.
All conditions have been satisfied except for the development of the remaining lots which is due to market conditions for new housing that meets the criteria for this development. This application for extension of time will allow the system to be fully developed as well as developed to correct the operational problems in the system.

3. I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit:

A) Within the past year or, if a prior extension was authorized, during the last permit extension period:
The Oregon Department of Water Resources permitted the water right on March 15, 1996. Since this time the District has completed the installation of the reservoir, pump house, transmission and distribution lines throughout the District bounday, which is a 44-lot subdivision. All the meters have been installed for a complete build out. This system also includes another 16 off-site connections for a total of 60 connections for the system. 3 hydrants were installed and major repairs were made in response to flooding in 1996.



B) Prior to the past year or, if a prior extension was authorized, prior to the last extension period:

4. I have accomplished beneficial use of water under the permit to the extent of (amount of water used and acres irrigated):

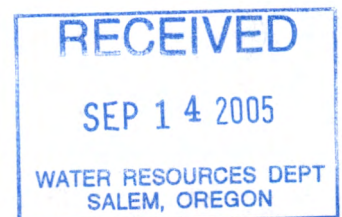
A) Quantity of Water Used [*in cubic feet per second (cfs) or gallons per minute (gpm) if using surface water or ground water.....and/or..... in acre-feet (af) if using stored water*]:
There are two wells with pumps that presently provide water for this Water Service District, Well No 1 and Well No 4. A flow rate of 42 gallons per minute was pumped on Well No 1 and 32 gallons per minute was pumped on Well No 4 for a total flow rate of 74 gallons per minute for a six (6) hour period. Therefore, the maximum rate of water that could be diverted based on the water drawn down test is 74 gallons per minute.

B) Number of Acres Irrigated (*if an irrigation permit*):

5. Cost of project to date \$330,500. Estimated remaining cost to complete the project \$50,000.

6. Please list the reasons why the project was not constructed, and/or water not beneficially used within permit time limits under the appropriate categories below. Please provide supporting information for each reason identified:

A) The project is of a size and scope that the original intent was to phase it in over a period longer than the timeframes allowed in the permit.
The delayed completion is related to the development and sale of lots for construction of residential dwellings, the potential future modification to the system to increase the reliability of operation to minimize operational failure, and future hookups to existing off-site residences.



B) Financing and/or cash-flow needs to develop the project precluded completion of the project within authorized timeframes.
Not Applicable.

C) Good faith attempts to comply with permit conditions and/or to acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.
Not Applicable.

D) Acts of God or other unforeseen events delayed full development of the water system and use of water.

Damage was caused to the system during the floods of 1996-1997. Repairs and improvements were then made to restore the system using FEMA funding. This delayed progression in development.

I am the permittee, or have authorization from the permittee, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

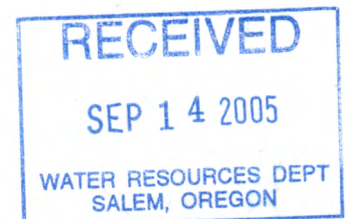
Signature Chris Bickelberg
Facilities/Utilities Manager

Date 9/12/05

For an application to be complete, it must be accompanied with the required fee. See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

MAIL COMPLETED APPLICATION and FEE TO:

WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE, SUITE A
SALEM, OREGON 97301-1271



INVOICE NUMBER	DATE	P.O. NUMBER	DESCRIPTION	DISCOUNT	AMOUNT
07/12/05	07/12/2005		EXTENSION - PERMIT # G12309	0.00	250.00
RECEIVED SEP 14 2005 WATER RESOURCES DEPT SALEM, OREGON					
RECEIVED JUL 18 2005 WATER RESOURCES DEPT SALEM, OREGON					
					250.00



PUBLIC WORKS DEPARTMENT

360 SW Avery Avenue
Corvallis, OR 97333-1192

(541) 766-6821

FAX (541) 766-6891

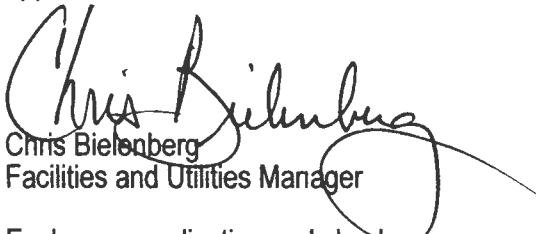
www.co.benton.or.us/pw/index.html

September 12, 2005

Lisa J. Juul
Water Rights Specialist
Water Rights Permit Extensions
Water Resourced Department
725 Summer Street NE, Suite A
Salem OR 97301-1271

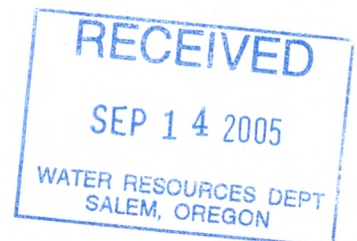
SUBJECT: Application #G-13066 (Permit #G-12309)
Cascade View County Service District

In a follow-up to your letter dated July 20, 2005, Benton County is re-submitting the "Application for Extension of Time" on the appropriate form. Also find enclosed our check for \$250.00 for this application.


Chris Bielenberg
Facilities and Utilities Manager

Enclosure: application and check

C: file



5-11-07

Re: Chris Billenberg:

6 new connections
were made from
1999-2024

Kim Lane



PUBLIC WORKS DEPARTMENT

360 SW Avery Avenue
Corvallis, OR 97333-1192

(541) 766-6821

FAX (541) 766-6891

www.co.benton.or.us/pw/index.html

May 4, 2007

Kim French
Water Rights Specialist
Water Rights Permit Extensions
Water Resources Department
725 Summer Street NE, Suite A
Salem OR 97301-1271

Subject: Application #G-13066(permit #G-12309)
Cascade View County Service District

This is a follow up to our phone conversation on May 3, 2007, regarding the District's Application for Extension of Time to the Water Resources Division.

Per our discussion, I have attached documents detailing the 3 previous years of water diverted by the district for domestic purposes. The detail use forms are based on actual pump reading from the well houses through a master meter. The numbers indicate that the District is currently using between 8,000,000 and 10,500,000 annually. This represents around 60% of the permitted .08CFS. That said, as identified in the application, the district is currently less than 80% built out and several homes have not developed their landscapes and other issues that have yet to impact total water use.

I trust that this information will satisfy the requirements for section 4 (A) of the application for quantity of water used. If additional information is needed, please contact me at 766-6821.

Sincerely,

Chris Bielenberg
Benton County Facilities/Utilities Manager

RECEIVED

MAY 09 2007

WATER RESOURCES DEPT
SALEM OREGON

COPY

2001

Oregon Water Resources Department
October 2001 through September 2002
Annual Water Use - Monthly Quantities Form

2002

FACILITY 33274
POD_ID 33275
33276
33277

USER-ID 1007

Cascade View CSD Water Use

October-01	716,200				
November-01	593,500				
December-01	678,400				
January-02	803,200				
February-02	531,900				
March-02	651,600				
April-02	612,600				
May-02	761,900				
June-02	2,141,500				
July-02	1,179,100				
August-02	1,001,200				
September-02	676,200				
TOTAL *G	10,347,300				

* Describe the units of measure as G (gallons), KG (thousand Gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: Master/Pressure Meters. If use is irrigation, total number acres irrigated N/A

I certify this information is true and accurate to the best of my knowledge;

Signature

Chris Bielenberg
Name - Please Print

Facilities/Utilities Manager
Title

Alsea County Service District
Reporting Entity

Date

11/14/02

Please complete and mail to: Water Resource Department; Water Use Reporting Program; 158 12th Street NE; Salem, OR 97310-0210

RECEIVED

MAY 09 2007

WATER RESOURCES DEPT



OREGON WATER RESOURCES DEPARTMENT SUMMARY OF WATER RIGHTS FOR WATER USE REPORT



Dear Water User: It is a new water year! All water use reports for October 2001 to September 2002 are requested to be submitted by January 1, 2003. This information is important for water management in Oregon. Please complete the form on the reverse side for the water rights listed below. If you have questions, or need more time please, contact me at 503-378-8455 ext. 333. Thank you for your attention to this matter. Mary Grainey

CHRIS BIELENBERG FACILITIES MANAGER USER-ID 1007
CASCADE VIEW COUNTY SERVICE DISTRICT
360 SW AVERY AVE
CORVALLIS OR 97333-1192

POD-ID	FACILITY	CERT	PERMIT	APPL	PRIORITY	USE	L/S	TWP	RANGE	SEC	Q/Q	RATE	SOURCE	TRIBUTARY TO						
33274		0	G	12309	G	13066	8/6/1992	DO	O	11	S	5	W	2	SWSE	0.08	C	P	WELL 1	BOWERS SL
33275		0	G	12309	G	13066	8/6/1992	DO	O	11	S	5	W	2	SWSE	0.08	C	A	WELL 2	BOWERS SL
33276		0	G	12309	G	13066	8/6/1992	DO	O	11	S	5	W	11	NENW	0.08	C	A	WELL 3	BOWERS SL
33277		0	G	12309	G	13066	8/6/1992	DO	O	11	S	5	W	11	NENW	0.08	C	A	WELL 4	BOWERS SL

RECEIVED
MAY 09 2007
WATER RESOURCES DEPT
SALEM, OREGON

2002

Oregon Water Resources Department
October 2002 through September 2003
Annual Water Use - Abbreviated Water Use Report

2003

Reporting Entity: Cascade View County Service District

I certify the water rights listed on the attached Summary of Water Rights which allow for less than 0.1 cubic foot per second or the storage of less than 9.2 acre-feet of water (noted by an S in the L/S field) were used within the limits of the rights for the period October 1, 2002 through September 30, 2003.

Chris Dielenberg
Signature

11/14/03
Date

Chris Dielenberg
Printed Name

Facilities/Utilities Manager
Title

Please submit this statement of compliance and a copy of your summary of water rights to:

Oregon Water Resources Department
Water Use Reporting Program
725 Summer Street NE Suite A
Salem, OR 97301-1271

Questions regarding this form or any of the Water Resources Department's requirements for water use reporting by governmental entities may be directed to:

Mary Grainey
Water Use Reports
Phone: 503-986-0833
Fax: 503-986-0902; or
E-mail: Mary.S.Grainey@wrdd.state.or.us



RECEIVED
MAY 09 2007
WATER RESOURCES DEPT
SALEM OREGON

2002

Oregon Water Resources Department
October 2002 through September 2003
Annual Water Use - Monthly Quantities Form

2003

FACILITY 33274
POD_ID 33275
33276
33277

USER-ID 1007

Cascade View CSD Water Use

October-02	676,200			
November-02	623,000			
December-02	593,400			
January-03	587,400			
February-03	476,800			
March-03	572,100			
April-03	578,200			
May-03	769,900			
June-03	1,483,600			
July-03	728,800			
August-03	1,888,900			
September-03	659,700			
TOTAL *G	9,638,000			

* Describe the units of measure as G (gallons), KG (thousand Gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: Well # 1 and Well #4. If use is irrigation, total number acres irrigated N/A

I certify this information is true and accurate to the best of my knowledge;

Signature

Chris Bielenberg
Name - Please Print

Facilities/Utilities Manager
Title

Asea County Service District
Reporting Entity

Date

11/24/03

Please complete and mail to: Water Resource Department; Water Use Reporting Program; 158 12th Street NE; Salem, OR 97310-0210

WATER RESOURCES DEPT
SALEM, OREGON

MAY 09 2007

RECEIVED

Cascade View CSD File

2003

Oregon Water Resources Department
October 2003 through September 2004
Annual Water Use - Monthly Quantities Form

2004

FACILITY 33274
POD_ID 33275
33276
33277

USER-ID 1007

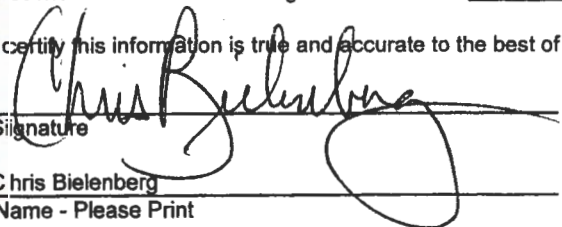
Cascade View CSD Water Use

October-03	538,200			
November-03	422,300			
December-03	487,650			
January-04	487,650			
February-04	460,600			
March-04	557,600			
April-04	779,500			
May-04	756,200			
June-04	1,123,000			
July-04	500,400			
August-04	321,600			
September-04	1,521,300			
TOTAL *G	7,956,000			

* Describe the units of measure as G (gallons), KG (thousand Gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: Well # 1 and Well #4. If use is irrigation, total number acres irrigated N/A

I certify this information is true and accurate to the best of my knowledge;


Signature
Chris Bielenberg
Name - Please Print

Facilities/Utilities Manager
Title

Date

Alsea County Service District
Reporting Entity

Please complete and mail to: Water Resource Department; Water Use Reporting Program; 158 12th Street NE; Salem, OR 97310-0210

RECEIVED
MAY 09 2007
WATER RESOURCES DEPT
SALEM, OREGON

2003

Oregon Water Resources Department
October 2003 through September 2004
Annual Water Use - Monthly Quantities Form

USER-ID _____

2004



Facility <input type="checkbox"/>					
POD-ID <input type="checkbox"/>					
October - 2003					
November - 2003					
December - 2003					
January - 2004					
February - 2004					
March - 2004					
April - 2004					
May - 2004					
June - 2004					
July - 2004					
August - 2004					
September - 2004					
TOTAL *					

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: _____ . If use is irrigation, total number acres irrigated _____

I certify this information is true and accurate to the best of my knowledge.

Signature

Title

Reporting Entity

Date

Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
725 Summer Street NE; Suite A, Salem, OR 97301-1271, or Fax 503-986-0902.

WATER RESOURCES DEPT
SALEM, OREGON

MAY 09 2007

RECEIVED

Permit G12309

2005	G	600500	403600	658700	371800	378400	435300	567600	557800	748400	1222600	1094200	726900
2004	G	538200	422300	487650	487650	460600	557600	779500	756200	1123000	500400	321600	1521300
2003	G	676200	623000	593400	587400	476800	572100	578200	769900	1483600	728800	1888900	659700
2002	G	716200	593500	678400	803200	531900	651600	612600	761900	2141500	1179100	1001200	676200
2001	G	490568	757702	532157	332202	407346	374628	414093	705005	711363	883051	1056370	865324
2000	G	463395	270600	231052.5	229920	212212.5	256912.5	297660	438165	739860	910447.5	850207.5	552127.5

2005	CFS	0.03	0.02	0.03	0.02	0.02	0.02	0.03	0.03	0.04	0.06	0.06	0.04
2004	CFS	0.03	0.02	0.03	0.03	0.02	0.03	0.04	0.04	0.06	0.03	0.02	0.08
2003	CFS	0.03	0.03	0.03	0.03	0.02	0.03	0.03	0.04	0.08	0.04	0.10	0.03
2002	CFS	0.04	0.03	0.03	0.04	0.03	0.03	0.03	0.04	0.11	0.06	0.05	0.03
2001	CFS	0.03	0.04	0.03	0.02	0.02	0.02	0.02	0.04	0.04	0.05	0.05	0.04
2000	CFS	0.02	0.01	0.01	0.01	0.01	0.01	0.02	0.02	0.04	0.05	0.04	0.03

0.03 avg

average = 0.03 CFS

Application # G-13066 / Permit # G-12309

Route Slip ... Extension of Time

per Division 315 Rules... (Extensions received on July 1, 2001 or after)

◆ **WRIG...**
Money Received on: \$250.00 on 9-14-05

◆ **Lisa Juul...**
Extension Completeness: 
(If **NOT** complete, send certified letter requesting add'l information.)

If Extension Appl complete and \$250 fee submitted, route to...

◆ **Jonnine Fuss...**

Publish on Public Notice (initial 30-day comment): 9/20/05 JIS

Update "cdatewext.DB" Database:

In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.

In the "Ext Filed" field... Enter the date the Extension Application was received.

At the close of the Initial 30-day Comment Period...

◆ **Lisa Juul...**

Pull files for Ext PFO review: _____

Extension PFO completed: _____

Once Extension PFO signed by Dwight French...

◆ **Jonnine Fuss...**

Prepare Ext PFO for mailing to applicant: _____

Mail to those who commented *and* paid copy fee: _____

Include Ext PFO on weekly Public Notice: _____



Oregon

Theodore R. Kulongoski, Governor

File # G-13066

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

July 20, 2005

Benton County / Cascade View Water Dist. Homeowners Assn.
c/o Chris Bielenberg
360 SW Avery Avenue
Corvallis, OR 97333-1192

REFERENCE: Application #G-13066 (Permit #G-12309)

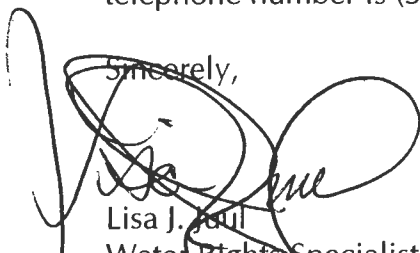
Dear Mr. Bielenberg:

On July 18, 2005, the Department received an "Application for Extension of Time" for Permit #G-12309 and a check from Benton County in the amount of \$250. The extension request for Permit #G-12309, however, was completed on the wrong extension application form. Considering the authorized use under Permit #G-12309 allows domestic use for a 60-unit subdivision, the request may not be submitted on the "Application for Extension of Time for Quasi-Municipal and Municipal Water Use Permits" form. You must use the standard (non-municipal/quasi-municipal) extension application form, which I have enclosed for you use.

Because your request was not submitted on the appropriate extension application form, therefore, I am returning the County's check in the amount of \$250 and the "Application for Extension of Time" for Permit #G-12309.

If you have any questions regarding this matter, please feel free to contact me. My telephone number is (503) 986-0808.

Sincerely,



Lisa J. Paul
Water Rights Specialist
Water Rights Section

enclosure(s)

cc: Appl #G-13066 (Permit #G-12309)
Watermaster Dist. #16
Fiscal

Permit Extension Ground Water Review

Date: Sept. 21, 2005

To: Doug Woodcock, Ground Water Section Manager

From: Lisa Juul, Permit Extension Review *[Signature]*

Subject: Ground Water Review for File #G-13066 / Permit #G-12309

The above referenced permit is currently being reviewed for an extension of time. Before I can determine whether or not an extension of time should be granted, a Ground Water review for this file is necessary. Special designations affecting this permit are as follows:

NOTE: Original Division 9 review completed by: Sarah Meyer

- Located within a **Critical** Ground Water Area
- Located within a Ground Water **Limited** Area
- Located within a Ground Water **Study** Area
- 5-Year Limited Permit
- Other: _____
- None (no special designations)**

To: Ann Reece 3/28/06
From: Marc Norton

For Ground Water / Hydrology Staff Use:

Please answer the following questions. If necessary, attach an additional sheet.

1. Should any additional conditions be added to this permit? NO
2. Should the extension of time request be further conditioned or **DENIED** due to ground water supply concerns? NO
3. Should the Department establish a new reference level for water level declines due to the failure of permittee to submit annual measurements? NO
4. Other issues or concerns? NO

X-Security: MIME headers sanitized on kettle.wrd.state.or.us
See <http://www.impsec.org/email-tools/sanitizer-intro.html>
for details. \$Revision: 1.139 \$Date: 2003-09-07 10:14:23-07
Subject: RE: Well Draw down data for Cascade View CSD
Date: Tue, 14 Feb 2006 11:10:54 -0800
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
Thread-Topic: Well Drawdown data for Cascade View CSD
Thread-Index: AcYxg+W+GEg19LIKSQW2pHkKfgrtXwAAZDJwAABTILA=
From: "BIELENBERG Chris E" <Chris.E.BIELENBERG@Co.Benton.OR.US>
To: "JAMES Jo Ann" <JoAnn.JAMES@Co.Benton.OR.US>,
"MILLER Robert P" <Robert.MILLER@Co.Benton.OR.US>
Cc: <Marc.A.NORTON@wrd.state.or.us>
X-Spam-Checker-Version: SpamAssassin 2.63 (2004-01-11) on
kettle.wrd.state.or.us
X-Spam-Status: No, hits=-4.2 required=5.0 tests=BAYES_00,HTML_50_60,
HTML_FONTCOLOR_BLUE,HTML_FONTCOLOR_UNKNOWN,HTML_FONT_BIG,HTML
autolearn=no version=2.63
X-Spam-Level:

-->

Marc,

I think I can answer these questions for you.

1. The reference point for all the wells are the true static water level. This was the base line that was established when the wells were developed, and is still used as the reference for the 25' draw down comparison.
2. Our water operator collects this data using an electronic sounder.
3. The water levels are true static in some wells and not in others. What we have done is standardize the monitoring method for both consistency as well as timing. Wells 2 and 3 are observation wells only and currently have no pumps installed so they are at true static when measured. Well 4 and 1 are in operation, with well 4 serving as the primary and well one as the back up. The procedure is to go out on a given day and shut down one of the two wells, let it recover for a period of 24hrs, then read it the next day. In the case of well 4 it takes 24hrs for recovery so in most cases it is clearly at static level. In the case of well 1 it can take up to two days for complete recovery depending upon the how long it has been pumping. However since this is the back-up well and is only used a few hours per week in the summer months, most of the readings for it are likely true static level.

I hope this information is helpful.

-----Original Message-----

From: JAMES Jo Ann

Sent: Tuesday, February 14, 2006 8:43 AM

To: MILLER Robert P

Cc: 'Marc.A.NORTON@wrd.state.or.us'; BIELENBERG Chris E
Subject: FW: Well Drawdown data for Cascade View CSD

Good Morning Bob, could you answer these questions for Mr. Norton. I have included his e-mail in the cc section above for your convenience in replying. Thank you for your assistance. JoAnn

-----Original Message-----

From: Marc Norton [mailto:Marc.A.NORTON@wrd.state.or.us]
Sent: Tuesday, February 14, 2006 8:33 AM
To: JAMES Jo Ann
Subject: Re: Well Drawdown data for Cascade View CSD

Hello Jo Ann,

I don't know if you are the right person to ask questions about the data you sent me. If not can you forward my questions to the person that can.

- 1) What is the reference point for the water level data? Are the water levels reference from the measuring point or corrected to water level below land surface?
- 2) How were the data collected? Airline? Electric tape? Other method?
- 3) Are the water levels "static" measurements? I believe that Chris mentioned that some of the measurements were not static water levels.

If the Department is going to add this data to the State Database, we like to have this kind of information. It will also help me in my analysis of the data.

Thank you for spreadsheet with the data and graphs.

Marc

At 03:52 PM 2/13/2006, you wrote:

Per your request from Chris Bielenberg, Benton County Facilities and Utilities Director
<<CVWELLDTA02-03.xls>>

Subject: RE: Well Drawdown data for Cascade View CSD
To: <Marc.A.NORTON@wrd.state.or.us>
Cc: "BIELENBERG Chris E" <Chris.BIELENBERG@Co.Benton.OR.US>

Marc, my name is Bob Miller, I'm the operator for Cascade View Estates. In answer to your questions, #1 I measure from the concrete floor to the static water level. #2 I use a well sounder (electric tape) #3 The measurements are static unless noted otherwise. In the past I have recorded while pumps were running because of leaks that prevented shutdown. I hope this answers your questions. If you have any more I can be reached @541-740-77-6
Thanks

RPM

-----Original Message-----

From: JAMES Jo Ann
Sent: Tuesday, February 14, 2006 8:43 AM
To: MILLER Robert P
Cc: 'Marc.A.NORTON@wrd.state.or.us'; BIELENBERG Chris E
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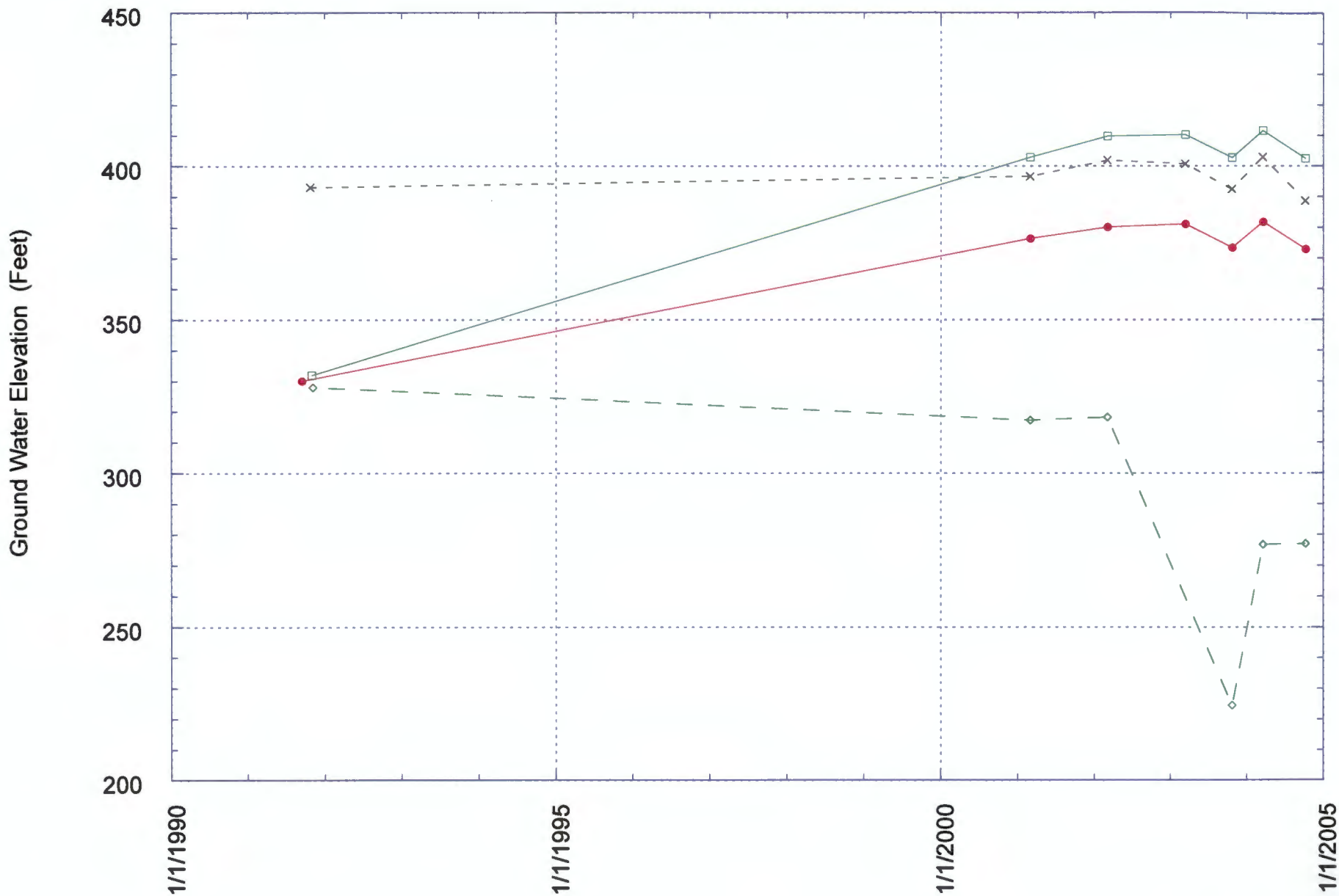
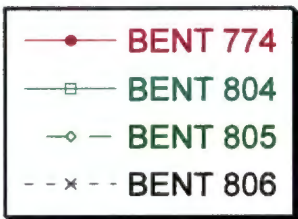
Thank you for spreadsheet with the data and graphs.

Marc

At 03:52 PM 2/13/2006, you wrote:

Per your request from Chris Bielenberg, Benton County Facilities and Utilities Director
<<[CVWELLDTA02-03.xls](#)>>

Hydrograph for Ground Water Application G-13066 Cascade View Water District



TWO WELLS

STATE OF OREGON
 WATER RESOURCES DEPARTMENT
 INTEROFFICE MEMO

Cascade View Estates

date : 5/13/93

Applicant McDougal Brothers
Investments
38437 Dexter Road
Dexter 97431

TO: File G- 13066
 From: Sarah C Meyer
 Subject: Surface/Ground Water Considerations

The applicant seeks 32 gpm ^{four} from two wells for Group Domestic
use in Bowers Slough Basin

T 11 S R SW S 11, 2 County Benton

FACTS WELL #1 WELL#2

Near-by stream unnamed trib ending @ bottom of slope
 Distance from stream 600' 4300' also trib to Frazier 1200'
 elevation difference 70' 160' Creek 100'

Depth of well 405 405
 Casing to 29 25
 Lined to - -
 Sealed to 29 25
 Perforated/screened / /

Well tests A/35/3/1 A/30/405/1
 Water found first 245 267
 Water-bearing zones Basalt Basalt
245-250 267-268

Static water level 97 100+
 date 9/6/91 10/31/91

Information sources Technical Data Document for Cascade View Estate
 Conceptual model Sloping Basalt flows w/ interflow zones
containing water. Recharge from
precipitation. Discharge through
wells and natural springs on
slope

Confined/Unconfined? Confined confined
 Direct hydraulic conn.? YES NO
 Substantial Interference? YES NO w/ surface water -
 possibly w/ nearby wells.

Arlie South Quad

Condition → Bi-monthly maint. (March + Sept.)
4H Year Round use.

6-13066
 TX

STATE OF OREGON
 WATER RESOURCES DEPARTMENT
 INTEROFFICE MEMO

date : 5/13/93

Applicant McDougal Brothers

TO: File G- 13066
 From: Sarah C Meyer
 Subject: Surface/Ground Water Considerations

→ Cascade View Estates

The applicant seeks 37 gpm from two wells for _____

T _____ R _____ S _____ County _____

FACTS

WELL # 3

WELL # 4

Near-by stream	<u>unnamed creek</u>	<u>unnamed creek</u>
Distance from stream	<u>1700'</u>	<u>700'</u>
elevation difference	<u>0</u>	<u>0</u>

Depth of well	<u>490</u>	<u>305</u>
Casing to	<u>2 1/2</u>	<u>39</u>
Lined to	<u>—</u>	<u>—</u>
Sealed to	<u>2 2 1/2</u>	<u>39</u>
Perforated/screened	<u>/</u>	<u>/</u>

Well tests	<u>A/12/3/1</u>	<u>A/25/305/1</u>
Water found first	<u>250</u>	<u>65</u>
Water-bearing zones	<u>250-260 Basalt</u>	<u>65-305 Basalt</u>

Static water level	<u>9.2</u>	<u>15</u>
date	<u>9/13/91</u>	<u>10/22/91</u>
Information sources	<u>Technical Review</u>	<u>DR. JON. ISTOK</u>
Conceptual model		

Confined/Unconfined?	<u>Confined</u>	<u>confined</u>
Direct hydraulic conn.?	YES	NO
Substantial Interference?	YES	NO

TO: Water Rights Section

5/13, 1992

FROM: Groundwater/Hydrology Section Meyer

Reviewer's Name

SUBJECT: Application G- 13066

1. **PER THE** Willamette Basin rules, one or more of the proposed POA's is/is not within N/A feet/mile of a surface water source () and taps a groundwater source hydraulically connected to the surface water.

2. **BASED UPON** OAR 690-09 currently in effect, I have determined that the proposed groundwater use
a. ___ will, or } have the potential for substantial interference with the nearest surface water
b. X will not } source, namely trib. to Frazier Creek; or
c. ___ will, if properly conditioned, adequately protect the surface water from interference:
i. ___ The permit should contain condition #(s) _____;
ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
iii. ___ The permit should be conditioned as indicated in item 4 below; or
d. ___ will, with well reconstruction, adequately protect the surface water from substantial interference.

3. **BASED UPON** available data, I have determined that groundwater for the proposed use
a. ___ will, or } likely be available in the amounts requested without injury to prior rights and/or
b. ___ will not } within the capacity of the resource; or
c. X can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
i. X The permit should contain condition #(s) 4H; Bi-monthly: March + September
ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
iii. ___ The permit should be conditioned as indicated in item 4 below;

4. a. ___ **THE PERMIT** should allow groundwater to be used for surface;
b. ___ The permit should allow groundwater to be used for surface;
c. ___ The permit should allow groundwater to be used for surface;
d. ___ Well reconstruction is necessary to protect the groundwater reservoir between approximately ___
e. ___ One or more POA's commingle 2 cfs of groundwater with a surface source of water per POA and specify the source of water per POA and specify the source of water per POA

REMARKS: _____

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## G 13066

ROUTED TO: Colleen / Tom Shook

TOWNSHIP/

RANGE-SECTION: T11S/R5W - 11, 2

APPLICATION ACCEPTED? yes no

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Meyer

- 5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
 - a. ___ review of the well log;
 - b. ___ field inspection by _____;
 - c. ___ report of CWRE _____;
 - d. ___ other: (specify) _____

- 6. THE WELL construction deficiency:
 - a. ___ constitutes a health threat under Division 200 rules;
 - b. ___ commingles water from more than one groundwater reservoir;
 - c. ___ permits the loss of artesian head;
 - d. ___ permits the de-watering of one or more groundwater reservoirs;
 - e. ___ other: (specify) _____

7. THE WELL construction deficiency is described as follows: _____

- 8. THE WELL
 - a. ___ was, or
 - b. ___ was not
 - c. ___ I don't know if it met standards at the time of construction.
 } constructed according to the standards in effect at the time of original construction or most recent modification.

RECOMMENDATION:

- A. ___ I recommend including the following condition in the permit:
 "No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ___ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ___ REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.
 _____, 1992.
 (Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

 _____, 1992.
 (Signature)



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

March 31, 2006

(503) 986-0844

Mr. Chris Bielenberg, Facilities & Utilities Manager
Benton County Public Works Department
360 SW Avery Avenue
Corvallis, OR 97333-1192

Re: Proposed Amendment to Water Level Measurement Plan,
Permit G-12309, file G-13066

Dear Chris:

I have received and reviewed your letter of March 28, 2006, in which you propose changes to your measurement plan for the above permit. Bob Miller and I spoke about the need for these changes, which included specification of reference levels for the wells in both March and September. I can approve the proposed changes. Please note that the plan may be amended, if appropriate, upon request or as directed. I look forward to receiving your future water-level data reports.

Please contact me at the above number if you have any questions.

Sincerely,

Michael J. Zwart
Hydrogeologist





PUBLIC WORKS DEPARTMENT
360 SW Avery Avenue
Corvallis, OR 97333-1192

(541) 766-6821
FAX (541) 766-6891
www.co.benton.or.us/pw/index.html

March 28, 2006

Michael J. Zwart
Oregon Water Resources Department
Measurement & Reporting Section
725 Summer ST. NE, Suite A
Salem OR 97301-1271

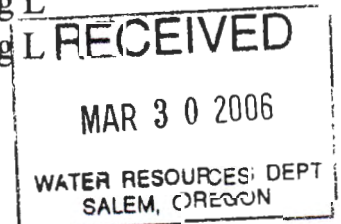
SUBJECT: Cascade View County Service District
System Water Use Impact Plan
Application G 13066, Permit G12309
Revised plan submitted, 3-28-06

Benton County, representing the Cascade View County Service District,
would like to submit this well monitoring plan for your approval:

1. Operator will measure the water level in March and again in September.
2. The reference water levels are based on a 5-year average of WELLS 1, 2, 3, & 4 during the month^{March} of September.

	<u>WELL 1</u>	<u>WELL 2</u>	<u>WELL 3</u>	<u>WELL 4</u>
MARCH	150 ft.	23.5 ft.	42.5 ft.	10 ft.
SEPTEMBER	173 ft.	30.5 ft.	48.5 ft.	25 ft.

3. Well ID tag numbers: WELL 1, BENT 805, Well Tag L
WELL 2, BENT 804, Well Tag L 9049
WELL 3, BENT 774, Well Tag L
WELL 4, BENT 806, Well Tag L

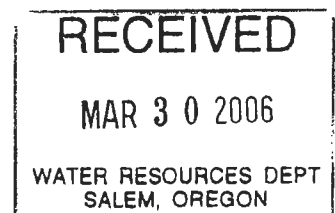


4. The measurement method will be conducted with an electric sounder.
5. The measurement resolution will be done in feet and inches.
6. The operational circumstances under which the water level measurement will be obtained are: WELL 4 will not be pumped for a minimum of 24 hours prior to measurement; WELL 1 will not be pumped for a minimum of 48 hours prior to measurement; and WELLS 2 & 3 are monitored at same frequency but are unincorporated; they do not require shut down to obtain static levels.
7. The person conducting the measurement will be the County's certified operator or a certified company of our choice.
8. The annual reporting will be mailed by the end of March.

Should you have any questions in regard to our proposed plan, please feel free to contact me at your convenience.


Chris Bielenberg
Facilities & Utilities Manager

C: Robert Miller, Operator
file
tickler process



*As received 2/4/94
from Benton County
Public Works Dept.
Chris Bielenberg.
1-541-766-8821*

**WATER MANAGEMENT PLAN
for
CASCADE VIEW WATER SUPPLY SYSTEM**

Prepared for
McDougal Brothers Investments
38437 Dexter Road
Dexter, Oregon 97431

Prepared by
Engineering and Geologic Resources, Inc.
2545 K Prairie Road
Eugene, Oregon 97402

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WATER MANAGEMENT PLAN

CASCADE VIEW SUBDIVISION

Background

As part of the Conditional Use Permit for the Cascade View Subdivision a Water Management Plan is required to be submitted to the Benton County Planning Department for their approval. This requirement for a Water Management Plan was a result of concerns from the Planning Department Staff, Oregon Water Resources and the citizens of the area regarding the long term adequacy of the groundwater reservoir to supply water for this area with continued development. Though Cascade View Subdivision only represents about 7% of the total population within the area, and thus a small part of the total water usage, a plan addressing the Subdivision's water use was felt necessary to adequately protect the resource. The Cascade View Subdivision will serve as a model for the rest of the community in conserving water without damaging the quality of living.

Ultimately the Oregon State Water Resources Department (WRD) will control water usage at the subdivision directly through the Water Right Permitting and Certification process. The subdivision will have a water right which is junior to all other rights around it; including private wells constructed and put into use prior to the date the water right permit application was filed. The WRD will then restrict water use by the Subdivision to maintain water in senior user's wells.

As part of the WRD permit system, conditions of approval will include a maximum static water level drawdown, of 25 feet, that will signal water curtailment measures be implemented. The 25 feet of static drawdown must be measured in the pumping well or a nearby (close proximity) static water level measuring well. This water level is the water level within the well to which the water rises during times of no pumping and normal recharge and is intended to measure the impact on the aquifer and the aquifer's ability to recharge fully to it's previous level. Twenty-five feet is a very tight level of control yet allows for normal climatic cycles.

Purpose

The purpose of the water Management Plan is to provide a set of operating procedures, monitoring systems, action levels, and appropriate responses to adequately protect the groundwater resource to allow for sustained use of groundwater for the Subdivision and hence for the surrounding users. As long as the Cascade View Water Supply System does not overdraw its own resource the surrounding water user's resource will not generally be adversely affected. In some very rare instances the dynamic use of this system, even while not overdrawing the groundwater reservoir, may have temporary impacts on surrounding water users that must be addressed. These are to be handled by the extra-system connections allowed for in the Conditional Use Permit.

The Plan

The developer shall install an approved community water supply system with the capacity to serve a minimum equivalent of 60 single family households. The system shall be constructed at the developer's expense. It is intended that a County Service District be created in accordance with ORS 451 and ORS 198 for the purpose of managing and operating a domestic water system. The developer shall operate, or contract with County to operate, and maintain the system until the system provides services for at least 25 customers. Ownership, management and operation of the entire system shall be transferred to the County Service District at the beginning of the County's fiscal year immediately following the connection of the 25th customer to the system. The District will operate in accordance with the Code for Operating District Water Systems (Attachment B).

This Water Management Plan is designed as a total systems approach to water management. It includes elements of control from the time of water withdrawal from the well, through use, to disposal. Using a total systems approach allows for the most water conservation with the least waste while maintaining high livability. The design of the water system itself and its quality assurance and quality control (QA/QC) are the first step in water conservation. This carries through the operation of the system, the monitoring of water use within the system and the conservation methods to be employed in the system. The conservation methods include both those instituted as normal operating procedures and restrictions, and those implemented in response to specific system needs for increased conservation, such as at times of sustained drought.

It is of primary importance that this Plan be updated periodically to take advantage of changes in technology and the increased knowledge gained about the system and the groundwater reservoir upon which it depends. This Plan will require the collection of significant data that has hitherto been unavailable regarding the response of this aquifer(s) to sustained pumping and yearly recharge. By updating this Plan, full advantage of the gain in knowledge can quickly be incorporated into the operation of the Water System. It is suggested that modifications to the Plan, if there are any, be submitted in an Annual Report to Benton County Public Works Department and the County Service District's governing body. The Annual Report will contain all the operating and water level data collected and a summary of its interpretation.

Supply and Distribution Redundancy

The Cascade View Water Supply System is designed with redundancy built in. By constructing a looped system if repairs or new connections are required the water can be rerouted to all destinations with the least disruption to the users or loss of water during the repair process.

The system will also have redundancy in water supply with the use of two wells, Number 1 and Number 4. These two wells are adequate to meet even the anticipated peak demand for water. During times when repair of one of the system wells is required either well can sustain the water system, though Well Number 1 cannot sustain normal summertime usage for extended periods of time. Wells Number 2 and 3 are also available for use and can be readily plumbed to the system as a further backup to Wells Number 1 and 4.

Reduce Supply Impacts with Two Wells

The annual average water use was initially modeled with 500 gallons per day (GPD) use expected. Using a more realistic average of 450 GPD usage rate, as seen at the Vineyard Mountain System, the highest use month the rate is estimated to be 900 GPD and during the highest day between 900 and 1170 GPD. With a 30 gallon per minute (GPM) well (Well Number 4) and an 8 GPM well (Well Number 1) the system could sustain 60 homes during the peak month. Well Number 4 can sustain 30 GPM but well efficiency drops off and therefor pumping costs will increase. Water conservation measures are expected to reduce the need to less than 30 GPM in practice. Well Number 1 can sustain 8 GPM during the summer drought period and probably more during the winter months. These two wells pumping at a combined rate of 38 GPM can easily sustain the system. Using two wells reduces the impact on the system and the groundwater reservoir.

Wells Number 2 and 3 can be used as back-up and during times when repairs are required in the summer months. Either of the primary wells (Numbers 1 and 4) along with the back-up wells can sustain the system under water rationing conditions until the repairs are completed. Since failures during a high use period are more likely than during low use times, water rationing requirements are outlined in the operating and conservation sections of this plan.

During winter months Well Number 4 can sustain the system since use will be down to about 250 GPD or a sustained rate of only 8.3 GPM. During winter months Well Number 1 could sustain the system indefinitely while Well Number 4 was under repair. Long term planned maintenance of the system wells should be planned for winter months. Therefor all weather access must be maintained to all four well sites to allow for winter well maintenance.

Following is a table outlining the operating parameters of the well field and measures to be taken as the water system is initially brought up to capacity. This table should be modified and adjusted as experience with the water system and the well field is gained.

TABLE 1

Situation	Wells to be Pumping and Pumping Rates (in order of use priority)	Targeted Maximum Pumping Levels	System Condition and Comments
Winter Usage - Up to 60 connections.	<u>Well 4</u> - As necessary.	Less than 140 feet to water.	No use restrictions. Well 1 can be added when lift distances make doing so cost effective (i.e. > 30 feet difference in lift).
Summer Usage - Less than 40 connections.	<u>Well 4</u> - As necessary up to 25 - 30 gpm. of drawdown).	Less than 140 feet to water (120 feet	No use restrictions. Well 1 can be added when lift distances make doing so cost effective (i.e. > 30 feet difference in lift).
Summer Usage - Up to 60 connections. June through September.	<u>Well 4</u> - As needed up to 30 gpm. <u>Well 1</u> - Constant 8 gpm.	<u>Well 1</u> - Less than 305 feet to water (208 feet of drawdown). <u>Well 4</u> - Less than 205 feet to water (190 feet of drawdown).	No use restrictions as long as targeted pumping rates and drawdowns are not exceeded.
Winter time shutdown of <u>Well 4</u> .	<u>Well 1</u> - Up to 20 gpm during repair period.	<u>Well 1</u> - Less than 305 feet to water (208 feet of drawdown).	No use restrictions as long as targeted pumping rates and drawdowns are not exceeded.
Summer time shutdown of <u>Well 4</u> (short duration).	<u>Well 1</u> - Up to 20 gpm during repair period.	<u>Well 1</u> - Less than 350 feet to water (250 feet of drawdown) during repair period.	Initiate conservation measures, at least voluntary use restrictions. Additional restrictions as necessary to remain below drawdown maximums.
Summer time shutdown of <u>Well 4</u> (long duration).	<u>Well 1</u> - Up to 12.5 gpm during repair period. Add wells 3 & 4 as needed. <u>Well 2</u> - Constant 5 gpm. <u>Well 3</u> - Constant 5 gpm.	<u>Well 1</u> - Less than 350 feet to water (250 feet of drawdown) during repair period. <u>Well 2</u> - Less than 300 feet to water (200 feet of drawdown). <u>Well 3</u> - Less than 350 feet to water (250 feet of drawdown).	Initiate conservation measures, at least voluntary use restrictions. Additional restrictions as necessary to remain below drawdown maximums.
Target water levels being exceeded consistently.	<u>Well 4</u> - Reduce flow to meet target drawdown. <u>Well 1</u> - Reduce flow to meet target drawdown. <u>Well 2</u> - Constant 5 gpm. <u>Well 3</u> - Constant 5 gpm.	<u>Well 4</u> - Less than 205 feet to water (190 feet of drawdown). <u>Well 1</u> - Less than 350 feet to water (250 feet of drawdown) during repair period. <u>Well 2</u> - Less than 300 feet to water (200 feet of drawdown). <u>Well 3</u> - Less than 350 feet to water (250 feet of drawdown).	Initiate conservation measures, at least voluntary use restrictions. Additional restrictions as necessary to remain below drawdown maximums.

Professional Operations and Maintenance

The Cascade View Subdivision will be operated by a County Service District with professional water management personnel or a contractor. The County Service District will be operated under State Law and their own bylaws and ordinances. The District Codes, Bylaws, Policies and Ordinances will contain requirements to meet the objectives of this plan and the requirements imposed upon the Water System by the Conditions of Approval as established by Benton County and the regulations of the Oregon Water Resources Department Water Right Permit and Certificate.

Monitoring System

As with any system it can only be ran as efficiently as there is data to understand how the system is performing. Monitoring of the system is critical to knowing how well the system is performing and formulating plans to increase the system's efficiency both in terms of cost and water conservation.

Aquifer Levels -- Four On-site Wells

All on-site wells will have their static (fully recovered from pumping) water levels taken once per week from November 1, 1992, to October 31, 1993. This will commence the first week of November, 1992. These data define the reference levels (a separate reference level for each well) for use in water management and will be included in the Water Supply System's Annual Report.

The first year's water level data will be used to determine the reference water levels to be used for water management. Two reference levels will be determined. The first will be a "recharge reference level" based upon the high water level expected in the Spring of each year at the end of the recharge season for the aquifer. This reference level will be particularly important for the two wells on-site which will rarely be used (Wells Number 2 and 3). Wells Number 1 and 4 will also have a high water reference level established by alternately shutting down these wells for a recovery period and letting them approach equilibrium with the aquifer. Well Number 4 may require a 48 hour shutdown period while Well Number 1 will probably need a 10 day period because experience has shown it has a much slower recovery rate. In the first year, since use will be very low, only Well Number 4 needs to be on-line and thus Well Number 1 could easily be read weekly.

The second reference level will be an "average reference level" based upon the average water level in the well for the year. This will be based on weekly readings of water levels for the first year of operation of the monitoring system. The first year of operation is expected to have the least pumping because development will be at a minimum and therefore the highest average water level. In order to avoid the normal summertime drawdown of the well from effectively curtailing well use prematurely (when the system is in full use) the "average reference level" should be examined yearly within the annual report to Benton County and Oregon Water Resources Department (WRD). The relationship of the "average reference level" in the on-site wells to the off-site wells must also be discussed in the annual report.

Using the two reference levels allows for examining whether overdraft or mining of the aquifer is occurring (recharge reference level), and whether yearly drawdowns are increasing, particularly during the season of no recharge.

Off-site Wells

Four existing off-site wells will be selected by the Water Supply System surrounding property owners to be monitoring wells. These wells will be equipped with water level measuring devices by the Water Supply System; the devices will be serviced and maintained by the well owners. These data will be used to determine the static water level in each well once per week from November 1, 1992, to October 31, 1993. These records will be submitted to the Water Supply System for inclusion in the Water Supply System's Annual Report.

Criteria for Water Use Reduction

Water use will be reduced if a drop in static water levels for an on-site well, measured with respect to the average reference level for that well, reaches 25 feet. Water use will be reduced so as not to exceed a drop of 25 feet in static water level for an off-site monitoring well, measured with respect to the average reference level for that well, and it is determined that the excessive drop is due to water use by the Water Supply System.

Water curtailment shall be sustained until the water level recovers to above the 25 foot decline level or until the Department of Water Resources determines, based on the collected data and analysis, that no action is necessary because the aquifer can sustain the observed declines without adversely impacting the resource or senior water rights.

These criteria for judgment will preclude a shallow and/or poorly producing well from controlling the water use of all other users, and will allow for an investigation so that a private well user(s) who over utilizes their own well(s) and cause declines cannot automatically blame the Water Supply System well for problems not related to the Water Supply System operation. This will also prevent overdrafts originating from other sources being blamed on the Water Supply System just because the System alone has a Water Management Plan. The WRD will have final authority to determine interference and prescribe remedies, as mandated under ORS Chapter 537 (Water Right Permits) and Chapter 540 (Distribution of Water, Watermasters). If the System is causing the problem the System will be required to respond by restricting use, to the point of shutting off wells if necessary, in order to mitigate the impact or obtain alternative off-site water sources so as not to further impact the aquifer.

Reservoir Volume

Long term data collection will be used to compute a groundwater reservoir volume. The water level data, along with pumping volume data may allow for the calculation of the storativity of the aquifer(s) around Wells Number 1 and 4. This will be included in the first annual report in which the data can be used with any reasonable accuracy. It is anticipated this will be accomplished the first year there is significant pumping on the well(s), or it will likely not be accomplished at all because of a lack of response between wells.

Reservoir volume is an important number in groundwater management and will be important in updating the Plan. If this data can be collected and analyzed it will be done. By calculating reservoir volume the quantity of water available from each well for withdrawal can be matched to recharge data collected over the year to more accurately determine the sustained yield of the aquifer(s). Aquifers are renewable resources but just like trees we need to know how fast it returns and how big the initial resource is.

Consumption

Data must be collected on the quantity of water used in order to balance the system with the groundwater reservoir and well capacities. Thus each pumping well will be metered in order to determine the daily pumping volume. Each well that is pumped will have the volume pumped recorded at least daily and always at the same time in order to get true 24 hour pumping volumes. Also each service connection will be metered and read at least monthly. A water balance will be calculated to match water pumped with water delivered to determine system leakage rates. Note that meter inaccuracies may also be determined in this manner and discrepancies do not automatically mean water leaks. All discrepancies in the system water balance must be accounted for and irregularities explained by the Contract Operator to the extent possible in writing.

Figures for total system consumption, consumption per service connection (average), and consumption per service connection (total) will be reported by month on an annual basis. This report will be made available to the Benton County Public Works Department, WRD and each service connection on the system. The daily readings for the pumped wells will be provided to Benton County and WRD, and kept on record with the Contract Operator for review by Water Association members. Others may view the public documents on file with Benton County.

Reporting of Data Monthly

For the first year of operation the system will provide monthly reports to the Benton County Public Works Department on the system and the data collected according to the schedule outlined here. After the first year the data will continue to be collected according to this schedule but reporting will be done on an annual basis. This annual report will contain all data collected, an analysis and interpretation of that data as it relates to groundwater and system operations, and any recommendations for modifications to the Water Management Plan. Benton County will review and approve any modifications recommended. If no comment is received by the County Service District within 90 days of submitting the annual report containing recommended modifications, the modifications will become a part of the Plan without further review. Any written comments to the recommendations by Benton County will hold the recommendations in abeyance until either approved or rejected by the County.

MONITORING	DAILY	WEEKLY	MONTHLY	YEARLY
Water Levels		Yes		
Meter Readings	Yes			
REPORTING				
Water Levels			First Year	After 1/01/94
Meter Readings			First Year	After 1/01/94

Conservation Measures

Conservation measures take two forms within this Plan. First, those measures to be implemented with the normal operation of the water supply system (*system*). These measures are designed to reduce the average water consumption of each user on the water supply system. They may also reduce peak demands as well. The second set of measures are designed to handle times of water shortage (*shortage*) due to drought, equipment failure or curtailment of water use enforced by the WRD or other regulatory agency.

Water Saving Devices Mandatory

System - As now mandated by new state building codes and reinforced within this subdivision, all houses will be required to install water saving devices. Low water use faucets, showers, toilets and appliances will be required.

Shortage - During times of short term shortage no new devices could be installed which would be effective, since all such installations were required initially. Additional restrictions on water use such as irrigating restrictions, restrictions on car washing, filling of swimming pools and other water uses may be restricted as deemed necessary by the County Service District.

Spray Irrigation Systems

System - All landscaped yards will be required to install subsurface automatic irrigation systems. Lawn watering will be encouraged to be set to irrigate at night. All shrub and tree watering will be required to be done through drip irrigation rather than spray irrigation.

Shortage - During times of shortage irrigation will be restricted to specific days and times of day. No daylight watering will be allowed. Sprinkling of lawns will be restricted if necessary and banned if required. Shrub and tree watering will be the highest irrigation priority but only if drip irrigated. Non-drip irrigated shrubs and trees will be regulated as if they were lawns. Shrub and tree watering will be prohibited if necessary as well.

Rate Structure with Incentives and Penalties

System - The rate structure will be modeled initially (for the first 320 GPD) after other Benton County Service District systems and will be billed monthly. Billing will be as outlined in the Draft Water Operation Code (Attachment B).

The County Service District Board may adjust the usage rates, surcharges, penalties, and incentives provided sufficient rates, surcharges, penalties and incentives remain in force to meet the objectives of reducing water usage to a safe sustainable yield and provide sufficient funds to operate the Water Supply System, including contingencies.

Shortage - During times of shortage the Board may place whatever rates and penalties they deem necessary to provide the appropriate incentive to meet the needs of the Water Supply System. Penalties for not complying with restrictions on automobile washing, irrigating, or other Board mandated restrictions on water use can be set and levied by the Board. These penalties can be collected through the regular billing process.

Maximum Annual Usage per Household

System - Each service connection will have a target of 127,750 gallons per year usage (350 GPD), and will be allowed an annual maximum of 179,520 gallons per year (490 GPD). A fee structure is established by the Cascade View County Service District Governing Body that encourages conservation. If water use exceeds the monthly maximum total usage, use and monetary penalties, as established by the Governing Body, will be assessed.

All service connections that exceed their target value (127,750 gallons per year) will be so informed by the operating agency and encouraged to meet this goal. Specific methods for reducing water usage, while maintaining well manicured yards, clean automobiles, and a pleasant home environment may be provided by the agency to all service connections.

The County Service District Board may set new target and maximum values based upon data collected on the aquifer and the Water Supply System wells. In all cases the new values must remain protective of the groundwater resource for sustained yield.

Shortage - Annual maximum usage values will not have a direct bearing on times of shortages other than they may prevent them in the first place.

Landscape Restrictions

System - Lawns and irrigated areas of excessive size will be discouraged. Homeowners will be encouraged to use native plant species well adapted to climatic conditions in this area that will require less watering. Lawn sizes will be encouraged to be small with native shrubs, rock gardens and other lower water use areas. Swimming pools will be required to use covers to reduce water loss. The Water Supply System Governing Board may place restrictions on lawn size, plant species use and any other restrictions they deem necessary to meet the water conservation goals of the Water Supply System.

Shortage - Irrigation use restrictions set by the Board during shortages will allow lawns to go without water first (grass being most able to recover from water loss), then shrubs and trees. Automobile washing will be time restricted according to an "odd - even" scheme or another suitable system appropriate for the severity of the shortage.

Private Wells

System - No private well use will be allowed within the Water Supply System boundaries, including those service connections which become part of the Water Supply System but are not part of the Cascade View Subdivision proper. Outside users who wish to connect to the system must assure there is no cross connections with their existing water system and their existing well must be disconnected from the power supply.

Shortage - No impact on the short term shortages on private wells.

Monthly Reporting

Records of the Water Supply System and off-site monitoring records will be kept at a central location and will be open to members of the District. Copies of these records will be provided on an annual basis (after the first year) to the Benton County Public Works Department where they may be examined by others. Data on individual service connections, such as penalty amounts, will not be reported, though water usage by connection (without names) will be provided for the public record. Data will be collected on a schedule as listed above.

Costs of Off-site Connections

All actual off-site connection costs will be borne by the connecting party. A maximum of 17 off-site connections will be allowed to the system. All off-site connections will be subject, retroactively, to all the conditions and privileges of this Management Plan, and the laws and policies of the County Service District. If the conditions are not met the connection will be severed until the responsible party demonstrates a willingness and capability to meet the conditions.

Summary

This is the first Water System Management Plan in this local area and one of the first in the state. Other water systems which do not operate with an effective water management plan, data collection schedule, analysis requirement, interpretation of their system performance or impact do so at their own peril, and perhaps, the peril of those around them. Even more importantly none of many private well owners (who greatly outnumber water system users) have any plan or incentive to conserve water.

With this plan the Cascade View Subdivision can lead this portion of the Corvallis Area Community into some form of water conservation awareness. This Plan addresses all the areas of water conservation and puts in place a framework which allows for future modification so that the Plan matches the resource and the ultimate level of use. To be effective this Plan must be a living document, periodically reviewed and modified. This Plan allows for water use on a sustained basis for this subdivision and its neighbors.

user assessed a penalty of \$25.00 along with the subsequent turn off and on fees.

CONNECTION CHARGES:

Service Meter Installation Charge: Charges for the cost of installing the meter, service line, fittings, etc. are hereby established at \$300.00 for a 1 inch meter.

DEPOSIT:
(ACSD-1-9.2)

A deposit of \$70.00 shall be required for all customers who do not own the property being served. The deposit shall be refunded when the tenant discontinues service with the District. Interest shall be paid on deposits at the rate of 0.375% per month (annual rate of \$4.5%).

CAPITAL SINKING FUND:

Residential: \$3.00 per service connection per month in addition to the \$30.00 minimum use fee.

TURN ON - TURN OFF:
(ACSD-1 Section 11.2)

A fee of \$25.00 will be charged to turn on water during normal business hours.

A fee of \$25.00 will be charged to turn water off for a customer's convenience or for excessive use penalty during normal business hours, except for emergency shut offs or installation of a customer valve.

FEE FOR TAMPERING:
(ACSD-1 SECTION 11.3)

A fee of \$100.00 in addition to the cost of repairs will be charged in accordance with the Ordinance when locks or seals have been tampered with or the system has been turned on by an unauthorized person.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Cascade View County Service District Governing Body set the rates as set forth above

for water service provided by the Cascade View County Service District,
effective upon the signing of this document.

Adopted this _____ day of _____, 1994.

Signed this _____ day of _____, 1994.

CASCADE VIEW COUNTY SERVICE DISTRICT
GOVERNING BODY

Chair

Commissioner

Commissioner

**BEFORE THE CASCADE VIEW COUNTY SERVICE DISTRICT GOVERNING BODY
IN BENTON COUNTY, STATE OF OREGON**

In the Matter of Providing Rules and)
Regulations for the Cascade View County)
Service District Water System:) ORDINANCE
Establishing Rate Procedures, Providing)
Penalties, Amending in Entirety All)
Ordinances in Conflict Therewith)

The Board of County Commissioners, as Governing Body for the Cascade View County Service District, ordains as follows:

SECTION 1. DEFINITIONS

As used in this Ordinance, the singular shall include the plural, the plural shall include the singular, the masculine shall include the feminine, and the feminine shall include the masculine. Except where the context indicates otherwise, the following words or phrases shall mean:

- 1.1 Act The Oregon Drinking Water Quality Act of 1981 (ORS 448.205-448.990 as amended by the 1981 Legislative Session).
- 1.2 Applicant An individual, firm, corporation, partnership, institution or association applying for water service.
- 1.3 AWWA The American Water Works Association.
- 1.4 Backflow The flow in the direction opposite to the normal flow.
- 1.5 Check Valve A valve which permits flow in only one direction.
- 1.6 County Benton County.
- 1.7 Cross Connection Any link or channel between the piping which carries the drinking water provided by the district and the piping or fixtures which carry water from another source or other substances.
- 1.8 Customer An owner or resident receiving water services from the District.
- 1.9 Customer's Line All pipe, valves and fittings on the customer's property except the meter and related appurtenances.
- 1.10 Distribution System The network of pipes and other facilities which are used to distribute water from the source, treatment, transmission, or storage facilities to the water user.

- 1.11 District The Cascade View Service District.
- 1.12 Domestic Service Provision of water to a residential dwelling unit for household purposes, including lawn and garden irrigation, livestock watering, vehicle washing, and other similar and customary purposes.
- 1.13 Fire Protection Service A separate water service to a property for automatic fire protection only.
- 1.14 Governing Body The Benton County Board of Commissioners.
- 1.15 Hardship Mobile Home A living unit defined in the Zoning or Development Ordinance of Benton County.
- 1.16 Household A unit where the usual functions of living, sleeping, and preparation of meals is carried on.
- 1.17 Infiltration Gallery A system of perforated pipes laid along the banks or under the bed of a stream or lake installed for the purpose of collecting water from the formation beneath the stream or lake.
- 1.18 Master Plan An overall plan which shows the major components of a water system as it will exist at the end of the design period.
- 1.19 Maximum Flow The flow through each meter size as established by the American Water Works Association is listed in AWWA Standard, Section C700.
- 1.20 Potable Water Water which is sufficiently free from biological, chemical, physical or radiological impurities so that users thereof will not be exposed to or threatened with exposure to disease or harmful physiological effects and which has such other physical properties as to be palatable to humans for drinking purposes.
- 1.21 Premises The property or area to which water service is or will be provided.
- 1.22 Rate Schedule The entire body of effective rates, rentals, charges, fees and regulations as set forth herein.
- 1.23 Service Connection The piping and appurtenances from the District's distribution main to the customer's property line.
- 1.24 Temporary Service A service for construction work and similar uses that, because of its nature, shall not be used steadily or permanently.

- 1.25 Turbidity A measure of cloudiness of water caused by suspended particles. The units of measure for turbidity are turbidity units (TU).
- 1.26 Water Source Any lake, stream, spring, well, impoundment or other source of water from which water is obtained for a public water system.
- 1.27 Water System A system for the provision of piped water for human consumption.
- 1.28 Well An artificial opening or artificially altered natural opening, however made, by which groundwater is sought or through which groundwater flows under natural pressure, or is artificially withdrawn or injected, provided that this definition shall not include a natural spring, or wells drilled for the purpose of exploration or production of oil or gas.

SECTION 2. SERVICE AREA

The area in which water service may be furnished at the District's option, includes all that territory within the limits of the Cascade View County Service District and certain areas adjacent or in reasonable proximity thereto as may be determined by the District.

SECTION 3. DESCRIPTION OF SERVICE

- 3.1 Supply The District shall exercise reasonable diligence and care to deliver a continuous and sufficient supply of water to the customer and to avoid any shortage or interruption in delivery.
- 3.2 Quality The District shall exercise reasonable diligence to supply a safe and potable water at all times in accordance with Oregon Administrative Rules, Chapter 333 Public Water Systems, Sections 42-206 and 42-210.
- 3.3 Classes of Service All services installed by the District shall be classified as follows:
- 3.31 Residential

SECTION 4. SERVICE REQUIREMENTS

- 4.1 General Service to water users shall be subject to the rules, regulations and rates applicable thereto and in effect at the time service is provided and/or as they are adopted or modified by the Governing Body. Service to individuals or groups may be discontinued for failure of a customer to comply with any provision(s) of this Ordinance and related rules, regulation and administrative policy.

- 4.2 New Connections New connections shall be provided to any parcel only from the nearest public right of way or adjacent waterline easement. Potential customers requesting a connection in an area without an adequate water main shall be required to make provisions as determined by the District for such a main prior to service connection. Water meters shall generally be located as described in Section 5.5 of this Ordinance. Standards for service connections, water main extensions and capacity of existing mains shall be determined by the District.
- 4.3 Application Each person requesting water service shall complete an application provided by the District. Such application for service, including meter size, shall be approved by District officials prior to providing meter service.
- 4.4 Liability for Joint Service Two or more parties who join to make application for service shall be jointly and individually liable for service provided and shall be sent a single bill.
- 4.5 Class of Service Changes Customers making a change in the class of their service, shall give the District written notice of the nature of the change, and if requested by the District, amend their application.
- 4.6 Special Contracts Contracts, other than applications, may be required prior to service where, in the opinion of the District, special circumstances warrant special consideration.
- 4.7 Account Transfer Charge A charge, as established by the Governing Body, shall be levied to transfer an account if the transfer is required after the previous customer has requested and received a discontinuance of service (turn-off) and a final statement. There shall be no charge to set up an account for a new service.

SECTION 5. SERVICE LINES AND METERS

- 5.1 Installation All meters, meter boxes, and service lines extending from the main to the meter location shall be installed by the District or an approved contractor.
- 5.2 Ownership The District shall own and maintain all meters. All meters shall be tested and repaired as necessary by the District on a routine, periodic schedule. Any meter repair costs which are incurred because of damage or abuse, other than normal wear, shall, as determined by the District, be paid by the customer along with the monthly service charge. The District shall own and maintain the service line from the main to the customer's property line.

- 5.3 Relocation Charge Meters or services relocated at the written request of the customer shall be relocated by the District at the customer's expense. Meters or services relocated for the convenience of the District shall be relocated at the District's expense.
- 5.4 Size Change If for any reason a change in the size of a meter or service is required, the installation shall be on the basis of a new service connection and all cost shall be paid by the customer.
- 5.5 Location Every meter location shall be designated by the District. Ordinarily, the meter and related appurtenances shall be installed on public right of way outside the building as near the property line as practicable. The meter may be located on private property, but only when a location within the public right of way or easement is impractical as determined by the District. The customer shall provide sufficient space and exercise proper care to protect and maintain access to the District's property on the customer's premises. In the event of loss or damage to the District's property on the customer's premises arising from neglect, carelessness, or misuse by the customer, the cost of necessary repairs or replacement shall be billed to the customer. The District shall not be responsible for damage arising from meters located on private property.
- 5.6 Unauthorized Connection Any unauthorized waterline, service line or other appurtenance which is connected to the District water system shall be immediately disconnected by District personnel.

SECTION 6. WATER RATES

- 6.1 General Water rates shall be established by order of the Governing Body. The water rates shall be set to cover all costs of operation, maintenance, capital replacement, and debt service.
- 6.2 Monthly Minimum A monthly minimum shall be charged based on the class of service. The monthly minimum shall include payment for water used up to a monthly quantity set by order of the Governing Body.
- 6.3 Consumption Rate A consumption rate shall be charged for each 100 cubic feet or part thereof used in excess of the amount covered by the monthly minimum. This rate shall cover costs associated with delivering 100 cubic feet of water to the meter. These costs may include but are not limited to the cost of

pumping, the cost of storage, the cost of water lost to leakage, and a portion of the cost of maintenance and capital replacement. An excess consumption charge shall also be established to discourage excess water use.

- 6.4 Outside District Rates The water rates for customers outside the District shall include the monthly minimum (Section 6.2) and the consumption rate (Section 6.3) plus an assessment determined by the District to capitalize improvements constructed by customers inside the District boundaries.
- 6.5 Exceptions The District will provide services at the same rates and under the same conditions for the first 16 connections outside the District boundary as defined in the Water Management Plan for Cascade View.

SECTION 7. NEW WATER MAINS

- 7.1 Financing Construction of new water mains, engineered and constructed to serve customers not already served by the District, shall be at the expense of the person requesting the new water main and shall be approved by the County Engineer. The waterline may be financed through the formation of a local improvement district, or through 100% cash financing by the person who signs the request for the line extension.
- 7.2 Local Improvement Districts Procedures established by District ordinances and/or State laws shall be followed in the formation of Local Improvement Districts.
- 7.3 Construction Standards Any line constructed under cash financing shall be constructed to standards approved by the County Engineer and the District. The engineered plans and specifications require approval by the County Engineer and other officials representing the District. Fees shall be required by the County Engineer for plan review and construction inspection.
- 7.4 Exceptions The District may, at its discretion, allow a new service connection without a main extension provided all of the following criteria are met:
- 7.4.1 The party requesting service does not own a significant percentage of the property fronting the proposed main extension.
- 7.4.2 The majority of adjacent landowners do not want to participate in a main extension.

- 7.4.3 A covenant is placed on the requesting party deed to participate in a future main extension. The District shall construct the main at the earliest possible date that there are sufficient covenants and/or enough interested landowners to gain approval and finance the construction.
- 7.4.4 The meter shall be set in a public right of way or easement of the nearest main. The party requesting service shall obtain all necessary easements to construct and maintain the service line from the meter to his plumbing facilities and shall be the owner of said service line.
- 7.4.5 Additional connection to the service line is not permitted unless approved by the District following application in the normal manner.
- 7.4.6 Such exception is found by the County Engineer to be in compliance with Oregon Administrative Rules relating to the Oregon Drinking Water Quality Act.

SECTION 8. FAILURE TO READ METERS

In the event it shall be impossible or impractical to read a meter during the billing cycle, the bill shall be for the monthly minimum. During the next month that meters are read, the bill shall be for the monthly minimum plus consumption costs of water consumed in excess of the amount allowed in the monthly minimum for the month being billed, and the months during which the meter was not read. The average will be calculated as an average over the number of months the meter was not read. Therefore, the accelerated rate for usage will not be applied to the single reading for multiple months. Failure by the District to read a water meter does not relieve the customer's obligation to pay for actual or estimated water use; however, retroactive billing is hereby limited to a twelve (12) month period when inaccuracies have resulted from neglect by the District.

SECTION 9. WATER SERVICE TO RENTALS

- 9.1 Responsibility Normally the water service shall be turned on at the request of the property owner and the bills mailed to the property owner or his agent. A landlord may make a written request for water service to be billed to the occupant. The landlord shall be responsible for any outstanding balance in excess of the deposit when the occupant vacates the rental.
- 9.2 Deposit Before the water service to a rental structure is turned on, an occupant who is not the property owner, shall make a deposit of an amount established by the Governing Body. This deposit shall be at least double the monthly minimum charge. In

the event the property has other outstanding bills owed the District, any excess left after credit against water debts may be applied to the other bills.

SECTION 10. PAYMENT OF BILLS

Charges for water service are due and payable monthly at the office of the Cascade View County Service District on the date of mailing and become delinquent the date of mailing the subsequent bill. No employee, other than an authorized employee from the District water office, shall accept payment in any form for water service. All delayed financial and account transactions must be made with an authorized employee at the District water office. Receipts shall be issued for all cash transactions.

SECTION 11. DISCONTINUANCE OF SERVICE

- 11.1 Improper Application and Failure to Pay Related Water Service Charges Water service to customers shall be discontinued when a customer fails to make proper written application for water service, fails to pay a related water service charge, or when proper payment has not been received by the District. A charge, established by order of the Governing Body, payable in advance, shall be paid before water service is turned on, with such turn on normally occurring during office hours only. A charge as established by the Governing Body shall be made for each check not honored by the bank or returned to the District.
- 11.2 Delinquent Bills Water service to customers shall be discontinued when bills are delinquent and notice has been given. Bills are delinquent when payment has not been received at the mailing of subsequent bill and bill indicates a previous balance. If the subsequent bill for two months' service has not been paid within 15 days of mailing, a notice shall be sent stating that water shall be turned off if payment has not been received by a specified date at least six (6) calendar days after the date the notice is mailed or posted. A late fee established by Order of the Governing Body shall be assessed when the notice is mailed or posted. The District may place a tag on the customer's door on the day prior to scheduled turn off. On the date of scheduled turn off, the water shall be turned off if payment has not been received or other arrangements made with the District office personnel by noon. Once someone is dispatched to turn off a water service, a turn off fee shall be assessed to the bill. The individual dispatched to turn off the water shall not accept cash payment. The individual may accept a check or money order payable to the District for the exact amount of the complete bill including turn off fee; in which case the water shall not be turned off.

The water shall be turned off and not be turned on until the payment for the complete bill including turn off fee and turn on fee are received in the District's office. Exceptions to this policy require at least the oral approval of an authorized employee of the District and shall be reduced to writing the following business day in a memo for record.

- 11.3 Tampering Water service to customers shall be discontinued when locks and seals have been tampered with or removed from the meter assembly, or water service has been turned on by someone other than an authorized District employee, the water meter may be removed by District employees. It shall be replaced and water valves turned on only after all charges are paid in full at the District's office. A charge, established by Order of the Governing Body, payable in advance, shall be paid in addition to all other charges to replace a water meter removed under the provisions of this paragraph. Service shall be reconnected during normal office hours only.
- 11.4 Waste Water service to customers shall be discontinued when there is wanton or willing waste of water including but not limited to failure to repair a leak in the customer's system within a reasonable time after notification by the District and/or failure to comply with a conservation request during emergency periods as determined by the District and curtailment plans as outlined in the Water Management Plan.
- 11.5 General Service may be discontinued at the discretion of the District, for violation of any provisions of this Ordinance.

SECTION 12. BASIS OF RATES AND RESALE

Rate schedules for each class of service are based on service to one water customer at one point. No water from the District water system shall be resold or distributed by the recipient thereof to any premises or water customers other than those for which application has been made and approved.

SECTION 13. GROUP CUSTOMERS

Group customers shall not be permitted in Cascade View County Service District.

SECTION 14. MULTIPLE UNIT CUSTOMERS

Multiple family unit customers shall not be permitted in Cascade View County Service District.

SECTION 15. HARDSHIP MOBILE HOME

A mobile home installed under the Hardship Provisions Section of the Benton County Zoning or Development Ordinance is considered temporary. The mobile home may be connected to an existing service on the same property without additional connection or monthly charges. If the use of the mobile home is changed, a connection fee and separate service shall be required. When the mobile home is installed, the property owner shall sign a statement that the District shall be notified if the use of the mobile home is changed.

SECTION 16. WATER METER TESTING

Upon written request, the District shall test the meter of any customer. If the meter reads within 95% to 102% of true flow, the customer shall be charged for the time taken to remove, test, and install the same or any new meter. If the tested meter under-registers water flow by more than 6%, the new meter shall be installed for the customer at no expense. If the tested meter over-registers water flow by more than 2%, the customer shall be given partial credit for the overbilling for no more than the previous six months. Such partial credit shall be based on the percentage the meter over-registers when tested.

SECTION 17. RECORDS

The District shall keep an accurate record of all water customers and the charges and payment for use of water. For the purpose of making charges, each meter serving a customer's premises will be considered separately, and the readings shall not be combined except where the District, for convenience or operating necessity elects to install more than one meter to serve the customer.

SECTION 18. WATER USE

Water provided by the District shall generally be for domestic purposes only.

SECTION 19. WASTE

No customer shall cause or permit water to run or be discharged through the fixtures, pipes, or faucets on his premises in excess of the quantity actually necessary for domestic purposes.

SECTION 20. DAMAGE

No person shall willfully or maliciously injure or in any manner interfere with or remove any of the pipes, valves, backflow preventers, meters, locks, seals or other property belonging to the District or used in connection with the District water system. Any person violating provisions of this section shall be charged for all standard costs

associated with repairing the result of such injury or interference, plus whatever penalties may be adjudged under the provisions of law. Failure to pay such repair charges shall be deemed a basis for discontinuance of service under the provisions of Section 15. Any person who inadvertently damages property belonging to the District or used in connection with the District water supply and disposal system shall be charged for all standard costs associated with repairing such damage, including, but not limited to, labor, materials and overhead.

SECTION 21. TAMPERING

No unauthorized persons shall tamper with, alter, or injure any part of the District water distribution system, reservoir system, pumping plant, or metering facilities or open or close any fire hydrant or service line stopcock. No persons shall alter the water service in a manner which would allow service to more than one household without the filing of an application for service and related compliance with this Ordinance. A fee for tampering set by Order of the Governing Body may be assessed in accordance with Section 11.3 of this Ordinance.

SECTION 22. RIGHT OF ENTRY

Access to water meters and wells, whether on private or public property, shall remain unobstructed, so that meter reading and repair personnel have free and unimpaired access to the facilities at all times. District personnel shall make all reasonable attempts to conduct business within the normal work hours. However, it may be necessary to enter upon private property for repairs or inspections at other times.

SECTION 23. CURTAILMENT OF DELIVERY

The water may be shut off from the mains without notice for emergency repairs and other necessary purposes, and the District shall not be responsible for any subsequent damages. Whenever practical, the District shall give reasonable notice before the water is shut off from the mains. No adjustment shall be made to water bills on interruption of service of less than 72 hours. If the temporary loss of water is longer than three (3) days, from the time the customer reports the outage, the water bill shall be reduced by one-thirtieth of the basic monthly charge for each day that water is not available. The provisions of this section do not cover outages caused by riot, war or acts of God.

SECTION 24. SERVICE LINE

The District shall furnish, install, maintain, connect to the main and own the service line from the main to the customer's property line or water meter, whichever comes first. No connection to or disconnection from the District mains or alteration in the above described service line shall be made by anyone but authorized District personnel. Service line size shall be determined by the District.

SECTION 25. CUSTOMER LINE

The customer line shall begin at the end of the service line and shall be laid and maintained by and at the expense of the property owner. The property owner shall protect such line from injury, freezing, or siphonage and be responsible for all damages resulting from leaks, breaks, or other causes. Customer's line shall be not less than 3/4 inch in size and the line shall conform to the plumbing regulations of the State of Oregon.

SECTION 26. CUSTOMER VALVE

The District shall install a control device, such as a brass body hand valve on the customer's side of the meter, inside of or within five (5) feet of the meter box. The customer's control device shall be installed in the meter box or in a valve box of its own, readily accessible from the ground surface without digging. The customer valves shall be installed by the District at no cost to the customer. The valve shall be for the customer to make necessary repairs to the plumbing facilities in case of emergencies.

SECTION 27. METER READING

The District shall, under normal circumstances, read water meters on a monthly schedule. Billing for water service shall be consistent with the established reading cycle.

SECTION 28. CROSS CONNECTION

28.1 Program The District shall maintain a program consistent with OAR 333-42-230. The District shall identify and evaluate the premises where potential cross connections exist. Where the District has reasonable cause to believe that an existing or potential cross connection is located on the user's premises, the District shall deny or discontinue service to those premises until an appropriate backflow prevention device is installed or until cause of the hazard is eliminated.

28.2 Backflow Prevention Devices Required Backflow prevention devices for protecting the water system shall be installed on the service connection to premises where:

28.2.1 There is an auxiliary water supply such as a well which is, or can be, connected to the potable water piping.

28.2.2 There is piping for conveying liquids other than potable water, and where that piping is under pressure and is installed and operated in a manner which could cause a cross connection.

- 28.2.3 There is intricate plumbing which makes it impractical to ascertain whether or not cross connections exist.
- 28.2.4 There is an irrigation system which could draw water back into the District water supply.
- 28.3 Backflow Prevention Device Type The type of backflow prevention device required under Section 28.2 above, shall be commensurate with the degree of hazard which exists and as follows:
- 28.3.1 An approved double check valve assembly shall be installed where the substance which could backflow is objectionable, but does not pose an unreasonable risk to health.
- 28.3.2 An approved pressure vacuum breaker or an atmospheric vacuum breaker shall be installed where the substance which could backflow is objectionable, but does not pose an unreasonable risk to health and where there is no possibility of back pressure in the downstream piping. A shutoff valve may be installed on the line downstream of a pressure vacuum breaker, but shall not be installed downstream of an atmospheric vacuum breaker.
- 28.4 District Approval All backflow prevention devices required under this section shall be of a type and model approved by the District and the District shall maintain a list of backflow prevention devices approved for use in the system.
- 28.5 Testing The water users or the owner of the premises where one or more backflow prevention devices have been installed shall have the device tested at least once per year. Devices shall be tested immediately after installation and after they are moved. Reports on the tests shall be prepared by the tester and copies of the reports shall be provided to the water user or the owner of the premises, to the District and to the State Division of Health. Tests shall be performed by certified testers in conformance with procedures established by the Foundation for Cross Connection Control and Hydraulic Research. Testing shall be completed by the District at the expense of the customer.

SECTION 29. SEPARABILITY

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions thereof.

Approved as to Form:

CASCADE VIEW COUNTY SERVICE DISTRICT
GOVERNING BODY

District Legal Counsel

Chair

First Reading: _____

Second Reading: _____

Effective Date: _____

**CASCADE VIEW COUNTY SERVICE DISTRICT
PROJECTED OPERATION/MAINTENANCE BUDGET**

<u>Personnel:</u>	Hours	
Monitoring (log pump info, inspections, etc.)	150	
Sampling (monthly includes travel time to lab)	26	
Meter Reading	32	
Billing/Notices	98	
Misc. Maintenance	20	
Supervision	<u>50</u>	
	376	
376 hrs @ \$22.34/hr	\$ 8,400.00	
<u>Materials/Service:</u>		
Supplies (pipe, fittings, tools, etc)	\$ 1,000.00	
Telephone (pager, cell time)	50.00	
Postage/Shipping (monthly billing, notices)	150.00	
Contract Services (backhoe work, electrical)	600.00	
Repairs/Maintenance (system PM and repair)	1,500.00	
Equipment Rentals	500.00	
Utilities	600.00	
Advertising (public notices, hearings)	200.00	
Laboratory (sample testing)	1,500.00	
Overhead (inter-governmental services)	1,000.00	
Materials/Service Sub-Total	\$ 7,100.00	
Operating Contingency	\$ 1,000.00	
Total Budget	\$16,500.00	
Based on 40 connections:	Monthly cost per connection	\$ 30.00
	with \$3.00 CIP fund	\$ 33.00

TO: Water Rights Section

5/13, 1993

FROM: Groundwater/Hydrology Section

Meyer
Reviewer's Name

SUBJECT: Application G- 13066

1. **PER THE Willamette Basin rules, one or more of the proposed POA's is/is not within N/A feet/mile of a surface water source () and taps a groundwater source hydraulically connected to the surface water.**
2. **BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use**
a. ___ will, or } have the potential for substantial interference with the nearest surface water
b. X will not } source, namely trib. to Frazier Creek; or
c. ___ will, if properly conditioned, adequately protect the surface water from interference:
i. ___ The permit should contain condition #(s) _____;
ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
iii. ___ The permit should be conditioned as indicated in item 4 below; or
d. ___ will, with well reconstruction, adequately protect the surface water from substantial interference.
3. **BASED UPON available data, I have determined that groundwater for the proposed use**
a. ___ will, or } likely be available in the amounts requested without injury to prior rights and/or
b. ___ will not } within the capacity of the resource; or
c. X can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
i. X The permit should contain condition #(s) 4H; Bi-monthly: March + September
ii. ___ The permit should contain special condition(s), as indicated in "Remarks" below;
iii. ___ The permit should be conditioned as indicated in item 4 below.
4. a. ___ **THE PERMIT** should allow groundwater production from no deeper than _____ ft. below land surface;
b. ___ The permit should allow groundwater production from no shallower than _____ ft. below land surface;
c. ___ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
d. ___ Well reconstruction is necessary to accomplish one or more of the above conditions.
e. ___ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: _____

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. **THE WELL** which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. ___ review of the well log;
 - b. ___ field inspection by _____;
 - c. ___ report of CWRE _____;
 - d. ___ other: (specify) _____.
6. **THE WELL** construction deficiency:
- a. ___ constitutes a health threat under Division 200 rules;
 - b. ___ commingles water from more than one groundwater reservoir;
 - c. ___ permits the loss of artesian head;
 - d. ___ permits the de-watering of one or more groundwater reservoirs;
 - e. ___ other: (specify) _____.
7. **THE WELL** construction deficiency is described as follows: _____
_____.
8. **THE WELL** a. ___ was, or } constructed according to the standards in effect at the time of
b. ___ was not } original construction or most recent modification.
c. ___ I don't know if it met standards at the time of construction.

RECOMMENDATION:

- A. ___ I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ___ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ___ REFER this review to Enforcement Section for concurrence.
-
-

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.

_____, 1992.

(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

_____, 1992.

(Signature)



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

August 13, 2002

Terry Barker
6870 NW Diamond Place
Corvallis, Oregon 97330

Reference File: G-13066, Permit G-12309

Dear Terry Barker:

I have located the Water Management Plan that is referenced in the above permit, and enclosed a copy of it and the permit for your reference. There is a provision for modifying the Plan between your Association and the County. Any modification must meet the minimum requirements of the permit itself. We would also need a copy of any modification of the plan for the file. I have marked three places in the plan that mention the monitoring and reporting conditions. They are located on pages 7, 9, and 11.

I do hope this helps you. If I can be of any further assistance to you, please do not hesitate to contact me. I have enclosed my card for your convenience.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

encl.: permit, Plan, and card



X-Sender: frenchdw@mailhub.wrd.state.or.us
X-Mailer: QUALCOMM Windows Eudora Version 5.1
Date: Mon, 12 Aug 2002 15:10:00 -0700
To: Jerry K Sauter <Jerry.K.SAUTER@wrđ.state.or.us>
From: Dwight W French <Dwight.W.FRENCH@wrđ.state.or.us>
Subject: Re: Fwd: Water District G13066 (Benton County/Cascade View
Water District Homeowners Association
X-Security: MIME headers sanitized on funnel
See <http://www.impsec.org/email-tools/sanitizer-intro.html>
for details. \$Revision: 1.133 \$Date: 2002-01-05 17:09:21-08

bring the file to me at buyoff and we can take a look at the situation.
I doubt if we could be persuaded to adjust the requirements.
Dwight

At 01:30 PM 8/12/2002, you wrote:

Dwight,
I'm not sure if the conditions can be modified on the reporting requirements.
What do you think.
Jerry

Reply-To: <terry@barkeruerlings.com>
From: "Terry Barker" <terry@barkeruerlings.com>
To: <Jerry.K.SAUTER@wrđ.state.or.us>
Subject: Water District G13066 (Benton County/Cascade View Water District Homeowners Association
Date: Mon, 12 Aug 2002 13:08:23 -0700
X-Mailer: Microsoft Outlook CWS, Build 9.0.2416 (9.0.2910.0)
Importance: Normal

Jerry: Back in July I sent you a note asking if it was possible to modify
the reporting requirements of this District.

It is currently to be monitored monthly and reported annually. As with most
public activities now days, we are looking for ways to reduce our costs and
would like to reduce the frequency of testing. We would like to skip most
of the winter months and then perhaps go to bi-monthly in the summer.

The district is essentially "built out" and we have a very good "grip" on
how the water use is going and how the wells are handling the use. Would we
work thru you or someone else, and what is the procedure?

Terry Barker
Barker Uerlings Insurance

p.s. In your previous response (see below) you indicated after the first
year the plan requires monthly monitoring and annual reporting. I do not
find anything to that effect. Could you mail (or somehow send) me a copy of
the original requirements and modifications? My Address is:
Terry Barker
6870 NW Diamond Pl
Corvallis, Or 97330

-----Original Message-----

From: Jerry K Sauter [<mailto:Jerry.K.SAUTER@wrđ.state.or.us>]
Sent: Monday, July 15, 2002 5:09 PM
To: Terry Barker

Subject: Fwd: Re: FW: Water Right Questions Cascade View Water Dist
41-01-456

Terry,

Did you receive this last info ? Let me know if I can provide any further assistance.

Jerry

Date: Fri, 05 Jul 2002 08:27:38 -0700
To: <terry@barkeruerlings.com>
From: Jerry K Sauter <Jerry.K.SAUTER@ wrd.state.or.us>
Subject: Re: FW: Water Right Questions Cascade View Water Dist 41-01-456

Terry,

Eureka!!! The file Number is G-13066, Permit G-12309 in name of Benton County/Cascade View Water District Homeowners Association.

There is a condition that the water management plan on file (I found it in the file as well) is to be followed. It does require Monthly reports to Benton County Public Works for the first year and continuing to collect data monthly after the first year but report it annually.

This permit has also been extended so that complete construction and application of water to the project is to be completed by October 1, 2004.

Should you have any further questions please call and we can discuss. Or if you would prefer, call when you are going to be in Salem and make an appointment, and I would be glad to meet with you and answer any questions you have and provide you with an opportunity to view this file and make copies for your records.

Sincerely,
Jerry Sauter

Jerald (Jerry) K Sauter mailto:jerry.k.sauter@ wrd.state.or.us
Water Rights Program Analyst http://www.wrd.state.or.us
Water Rights /Adjudications Division
Oregon Water Resources Department Ph.(503) 378-8455 x274
158 12th Street NE
Salem, Oregon 97301-4172

=====
Dwight French
Water Rights Section Manager, Water Rights Division

Oregon Water Resources Department
158 12th ST NE, Salem Oregon 97301-1724
Phone: 503 378-8455 x268
Fax: 503 378-6203

November 30, 1993

McDOUGAL BROTHERS INVESTMENTS
38437 DEXTER ROAD
DEXTER, OR 97431

Reference: File G 13066

Hello:

This letter informs you of the current status of your application for a water use permit and accompanies the Satisfactory Report of Technical Review For Water Use Permit(s). We apologize for the delay in transmitting this information and Report to you and for any inconvenience the wait may have caused you.

The enclosed Report of Technical Review is the Department's summary of a specialized analysis of various legal and scientific aspects of your application and proposed water use. We are required by the state of Oregon's administrative rules (in OAR 690-11-160) to conduct this official technical review of each application submitted to the Oregon Water Resources Department for a water use permit. This process was designed to insure that your application receives a fair evaluation and to secure protection of existing water rights and of the public at large.

AS THE RESULT OF OUR TECHNICAL EVALUATION OF YOUR APPLICATION, WE HAVE DETERMINED THAT YOUR APPLICATION SATISFIES THE REQUIREMENTS OF THE TECHNICAL REVIEW.

The Department will now move your application to the next phase of processing. This phase includes a public interest review of your proposed water use. No final action may be taken on your application until the public interest review is completed.

You should also note that the Report of Technical Review describes conditions currently anticipated which may limit the water use proposed in your application.

If you wish to object to any of the analyses contained in the Report, you must submit your objection to the Department in writing within 60 days of the date of mailing of this Report or by the date specified below. Your objection must allege that the technical review is defective and you may also submit evidence which demonstrates that your proposed water use will not impair or be detrimental to the public interest.

Copies of the Report of Technical Review will be distributed to all persons who have filed comments or otherwise expressed an interest in the water use proposed in your application. Interested parties must also submit their objections within the prescribed objection period. Those objections must allege that the technical review is defective and/or that the proposed water use may impair or be detrimental to the public interest.



If an objection contains allegations that the technical review is defective, it must be accompanied by facts which support such allegations. If an objection contains allegations that the proposed water use may impair or be detrimental to the public interest, the objection must specify the particular public interest standards which apply as set out in Oregon Revised Statutes (ORS 537.170(5)) and Oregon Administrative Rules (OAR 690-11-195) and state facts showing how such standards would be violated.

All evidence and objections must be received by our Salem office **no later than 5:00 p.m. on or before February 7, 1994** or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

If objections and evidence are submitted on or before the above time and date, the Director of the Water Resources Department will evaluate each issue raised in the objections and either accept or deny them. Objectors are encouraged to indicate whether they would be interested in resolving their concerns through alternative dispute resolution.

If any of the objections are denied, the objector will be allowed thirty days to submit a protest to the denial. The protest must meet the standards set forth in OAR 690-02-030 through 080.

If you have any questions, please feel free to telephone me or any of the Department's Water Rights Section staff. My telephone number is 378-3739, in Salem, or you may call toll free from within the state to 1-800-624-3199.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Brown', with a long horizontal line extending to the right.

STEVE BROWN
Manager
Water Rights Division

Enclosures

SB/eg

Report Date: November 30, 1993

OREGON WATER RESOURCES DEPARTMENT
SATISFACTORY REPORT OF TECHNICAL REVIEW
FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: February 7, 1994

1. APPLICATION FILE NUMBER: G 13066
2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

McDOUGAL BROTHERS INVESTMENTS
38437 DEXTER RD
DEXTER, OR 97431
BENTON COUNTY 503-937-2181

Date application received for filing and/or tentative date of priority: 8/ 6/1992

SOURCE: WELLS 1, 2, 3 & 4
TRIBUTARY TO: BOWERS SLOUGH

Purpose and/or use: DOMESTIC USE FOR 60 HOUSEHOLDS

Flow: 37 gpm

Point of Diversion Location:

WELL 1:
NENW T 11 S, R 5 W, SEC. 11
1760 FEET N, 790 FEET W*

WELL 2:
NENW T 11 S, R 5 W, SEC. 11
2300 FEET N, 460 FEET W*

WELL 3:
SWSE T 11 S, R 5 W, SEC. 2
3670 FEET N, 220 FEET E*

WELL 4:
SWSE T 11 S, R 5 W, SEC. 2
3540 FEET N, 940 FEET E*

*All marked from the SW CORNER FULLER DLC #38

Place of use:

NESW

SESW

NWSE

SWSE

Section 2

T 11 S, R 5 W, W.M.

NENW

Section 11

T 11 S, R 5 W, W.M.

GROUNDWATER AVAILABILITY

This is an application for use of groundwater. The Groundwater/Hydrology Section report indicates that:

Pursuant to OAR 690-09-040, the proposed groundwater withdrawal **will not** have the potential to cause substantial interference with surface water.

In addition, the Groundwater/Hydrology Section has reported the water **is** likely to be available to supply the proposed use.

CONFLICTS WITH OTHER WATER RIGHTS:

There **are no** existing rights from this point of diversion.

There **are no** existing water rights appurtenant to the lands described in the application.

REPORT CONCLUSIONS:

Water in the amount of 37 gpm is likely available for 12 months of the 12 months normal period of use. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

THE PROPOSED WATER USE, AS CONDITIONED, SATISFIES THE REQUIREMENTS OF THIS TECHNICAL REVIEW.

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in

ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.

PROPOSED PERMIT CONDITIONS

Application: G 13066

The following conditions will apply to water use under the permit, and will appear in the permit, if issued.

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use: Year around
3. Rate of use: 37 gpm
4. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
5. Measurement recording and reporting conditions:
 - A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
 - B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

6. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.
7. The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
8. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
9. The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. The use of water shall be limited when it interferes with any prior surface or ground water rights.
10. Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.
11. The permittee shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the permittee shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the permittee's or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The permittee shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13066

Final Order
Extension of Time for Permit Number G-12309

Application History

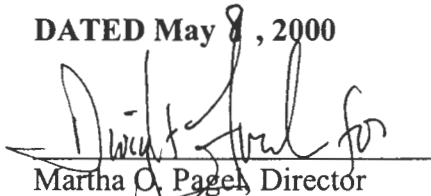
On October 11, 1999, Benton County/ Cascade View Water District Homeowners Association submitted an application to the Department for an extension of time for permit number G-12309. The Department issued Permit number G-12309 on March 15, 1996. The permit called for completion of construction of the water development project by October 1, 1998 and complete application of water to the full beneficial use by October 1, 1999. In accordance with OAR 690-320-0010(8), on January 25, 2000, the Department issued a Proposed Final Order proposing to extend the time to complete development of the water development project to October 1, 2004, and/or the time to fully apply water to beneficial use to October 1, 2004. The protest period closed March 10, 2000. No protest was filed.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 537.248, 537.630 and 539.010(5) (as appropriate).

Order

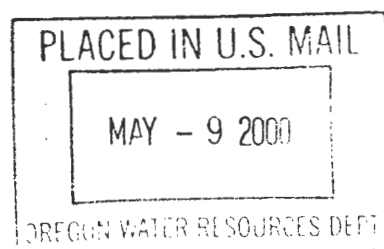
The extension of time for Application G-13066, Permit Number G-12309, therefore, is approved. The deadline for completing construction is extended to October 1, 2004. The deadline for applying water to full beneficial use is extended to October 1, 2004.

DATED May 8, 2000


Martha O. Pagen, Director

Appeal Rights

This is a final order in other than contested case. Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 day time period specified by ORS 183.484(2).



1010 ✓
1010 ✓
1010 ✓

**Oregon Water Resources Department
Water Rights Division**

Water Right Permit Extension Application
for Permit Number G-12309

Water Right Application Number G-13066

Proposed Final Order

This Proposed Final Order applies only to permit number G-12309.

Summary of Recommendation

The Department proposes to:

- grant the extension for complete construction of the water system from October 1, 1998 to October 1, 2004, and
- grant the extension for complete application of water from October 1, 1999 to October 1, 2004.

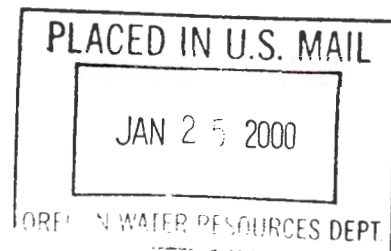
Application History

Permit no. G-12309 was granted by the Water Resources Department on March 15, 1996. The permit authorizes use of 0.08 cfs of water from 4 wells for domestic use for 60 homes in the Bowers Slough basin. It specified that construction must be completed by October 1, 1998, and water applied to full beneficial use by October 1, 1999. A copy of permit no. G-12309 is attached.

On October 11, 1999, the Department received an application from Benton County/ Cascade View Water District Homeowners Association for an extension of time to complete construction and to apply water to full beneficial use. The applicant has requested until October 1, 2004 to complete construction of the water system and until October 1, 2004 to apply water to full beneficial use. This is the first permit extension request.

Findings of Fact

ORS 537.230(2) and 537.630 (1) allows the Department to grant an extension of time to perfect a water right for good cause. In evaluating good cause, the Department has



considered the written record in the permit application file in relation to the requirements of ORS 537.230(2), ORS 537.630 (1) and ORS 539.010(5) and makes the following findings.

1. The applicant is legally entitled to apply for an extension on this permit.
2. The applicant has submitted a completed permit extension form and the required fee.
3. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit.
4. Progress in perfecting the permit is being held up by the rate of development within the subdivision.
6. The applicant has pursued perfection of the right in good faith and with reasonable diligence.
 - a) Work on the water development project completed to date includes construction of wells and pump house, installation of the reservoir, transmission lines, distribution lines, and meters throughout the district.
 - b) The work remaining to be completed consists of the remaining construction of the homes, including plumbing, delivery of water to them, and complete application of water.
7. Based on the written record, the Department finds there is good cause to approve the extension request. The applicant has pursued perfection of the right in good faith and with reasonable diligence. Perfection of the permit has been delayed by the size and scope of the project and the rate of development within the subdivision.
8. Due to the reasons outlined above in item 4 and the water development progress to date, the Department finds that the length of time requested for completion of construction should be extended to October 1, 2004, and the length of time requested for completion of the application of water should be extended to October 1, 2004, as requested by the applicant.

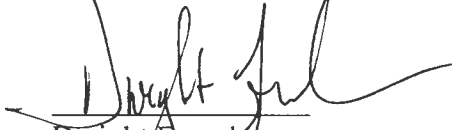
Conclusions of Law

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230, and ORS 537.630.
2. The applicant has submitted an extension application form and the fee required by ORS 536.050(1)(L).
3. The applicant has pursued perfection of the right in good faith and prosecuted construction with reasonable diligence.
4. The applicant has shown good cause for the untimely completion of the water development project and complete application of water to full beneficial use pursuant to ORS 537.230(2), and ORS 537.630 (1).
5. The permit extension should be approved until October 1, 2004 to complete construction and until October 1, 2004 to complete the application of water.

Recommendation

The Department proposes to issue an order to:
extend the permit time to complete construction from October 1, 1998 to October 1, 2004
and
extend the permit time to complete application of water from October 1, 1999 to October 1, 2004.

DATED: January 25, 2000



Dwight French
Water Rights Section Manager

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Protest Rights and Comments

1. Under the provisions of OAR 690-320-0010(8) you have the right to protest this proposed final order. Your protest must be in writing and must include the following:
 - a) Your name, address and telephone number;
 - b) Your interest in this proposed final order, and if you claim to represent the public interest, a precise statement of the public interest represented;
 - c) A detailed description of how the action in the proposed final order would impair or be detrimental to your interest;
 - d) A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e) Any citation of legal authority supporting your protest, if known; and
 - f) The \$25 protest fee required under ORS 536.050 (1)(j).
2. Each person submitting a protest shall raise all reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the comment period.
3. The Water Resources Department must receive written protests or written comments no later than **March 10, 2000**.
4. After the close of the comment and protest period, the Director will either issue a final order, or schedule a contested case hearing if the Director finds there are significant disputes related to the use of water.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT #

33781

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM:

Benton County

BY: _____

APPLICATION	<u>G-13066</u>
PERMIT	
TRANSFER	

CASH: CHECK: # ✓ 96-7043 OTHER: (IDENTIFY)

TOTAL REC'D \$ 100.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY) _____	\$
OTHER: (IDENTIFY) _____	\$

REDUCTION OF EXPENSE

CASH ACCT. \$

PCA AND OBJECT CLASS _____ VOUCHER # _____

0427 WRD OPERATING ACCT

MISCELLANEOUS		
0407 COPY & TAPE FEES		\$
0410 RESEARCH FEES		\$
0408 MISC REVENUE: (IDENTIFY) _____		\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____		\$

PLA 136611

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE \$	0202 RECORD FEE \$
0203 GROUND WATER	EXAM FEE \$	0204 RECORD FEE \$
0205 TRANSFER	EXAM FEE \$	0206 RECORD FEE \$
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$	0219 LICENSE FEE \$
LANDOWNER'S PERMIT		0220 LICENSE FEE \$

0240 OTHER (IDENTIFY) EXT. OF TIME \$ 100.00

0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #
0210 MONITORING WELLS	\$	CARD #
OTHER (IDENTIFY) _____		

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS \$

0467 HYDRO ACTIVITY

0233 POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HRDRO APPLICATION		\$

RECEIPT #

33781

DATED: 10-11-99 BY: Roger Wright

A) Please describe how you have complied with each applicable permit condition (NOTE: the instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review). All conditions stipulated in the water right permit have been complied with. A water management plan has been submitted to Water Resources. This plan sets a well monitoring program and references static and recharge water levels in all wells. It identifies water conservation and water curtailment parameters. In addition to special conditions all standard conditions are also being met.

B) If you have not complied with all applicable conditions, please explain the reasons why and indicate a date certain, in the near future, by which time you will be in compliance with applicable conditions. N/A

3-I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit:

A) Within the past year or, if a prior extension was authorized, during the last permit extension period: Since the original application of water right, the Cascade View County Service District has completed the installation of the reservoir, pump house, transmission and distribution lines throughout the District Boundary. All the meters have been installed for a complet buildout.

B) Prior to the past year or, if a prior extension was authorized, prior to the last extension period: N/A

C) I have accomplished beneficial use of water under the permit to the extent of (amount of water used or acres irrigated): Approximately .16 CFS or 13.824 GPD

OCT 11 1999

WATER RESOURCES DEPT.
SALEM, OREGON

4-Cost of project to date n/a *. Estimated remaining cost to complete the project **.
*original cost by developer **No additional cost for District

5-Please list the reasons why the project was not constructed, and/or water not beneficially used within permit time limits under the appropriate categories below. Please provide supporting information for each reason identified.

A) The project is of a size and scope that the original intent was to phase it in over a period longer than the timeframes allowed in the permit. The District was designed as a 44 lot subdivision to be built out within 5 years. The system was also designed to provide for 16 off site connections. Currently the district has 42 connections total.

B) Financing and/or cash-flow needs to develop the project precluded completion of the project within authorized timeframes. N/A

C) Good faith attempts to comply with permit conditions and/or to acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.
N/A

D) Acts of God or other unforeseen events delayed full development of the water system and use of water. N/A

6-Please identify the economic market or markets to which beneficial use of water under the permit is responding. All the existing lots have been sold, however, they are not all currently under construction.

A) Has there been any change in this market since the permit was issued? Interest rates and minor economic cutbacks of the local employers have slowed, the time lines for a complete buildout of the District.

B) Have these changes, if any, affected the economic feasibility of your project? These economic impacts have had not affect on the project feasibility as the system is complete and meet all funding liabilities.

7-Are there other present competing demands for water in your community? No

A) Has there been any change in these demands for water since the permit was issued? No

B) Are you aware of alternative sources of water that may be able to satisfy the competing demands? The District has four well sources, two of which are currently used for monitoring purposes only. If competitive demands affect current well production or use, we would anticipate using the alternative wells and water reduction plans.

C) Are you aware of any adverse affects on your source of water that may have been caused by recent changes in use of water in your community? None

RECEIVED

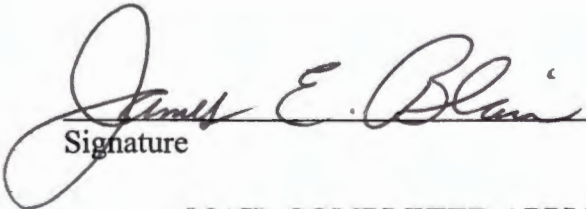
OCT 11 1999

WATER RESOURCES DEPT.
SALEM, OREGON

8-Will the income or use from the water development project authorized by this permit provide reasonable returns against the investment in the project? Yes, the current system was constructed by the original developer of the subdivision. As part of the conditional use, a District was formed, and the operation and maintenance was turned over to Benton County. There is currently no outstanding liabilities on the system.

9-If the extension request is denied, is the current level of water use economically feasible? No. The system was designed for a total of 60 connections, 44 on site and 16 off site. We are currently built out to 42 total connections or approximately 70%.

I am the permittee, or have authorization from the permittee, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.


Signature

10/4/99
Date

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$ 100 TO:

WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES
158 12TH ST NE
SALEM, OREGON 97310

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13066

Final Order

Application History

On August 6, 1992, MCDOULGAL BROTHERS INVESTMENTS submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on OCTOBER 17, 1995. The protest period closed DECEMBER 1, 1995, and no protest was filed. The application was assigned to BENTON COUNTY/CASCADE VIEW WATER DISTRICT HOMEOWNERS ASSOCIATION on December 11, 1995.

The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to condition the use of water under PERMIT G-12309 according to the terms of the applicant's Water Management Plan for the proposed water use.

Order

The application therefore is approved with the above modifications to the Proposed Final Order, and Permit Number G-12309 is issued as limited by the conditions set forth in the permit.

DATED March 15, 1996



Martha O. Pagel
Director

Hearing and Appeal Rights

Under the provisions of ORS 537.170, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 527.153(6) to the Department within 14 days after this order is issued. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issues based on the above modifications to the proposed final order may be addressed.

Under the provisions of ORS 183.484, the applicant or any person having standing may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served.

COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

✓ CC: FILE # G-13066

✓ WATERMASTER # 16

✓ REGIONAL MANAGER:

2 ✓ ODF&W - Benton Coun

CWRE (if agent):

✓ DEQ

OTHER STATE AGENCY IF NECESSARY:

DIVISION 33 LIST: _____ COLUMBIA RIVER INTERTRIBAL FISH COMMISSION; U.S. FISH & WILDLIFE;
(CHECK ONLY IF APPLICABLE) _____ NORTHWEST POWER PLANNING COUNCIL & NATIONAL MARINE FISHERIES

POWER BUILDER UPDATER; FRONT COUNTER

OTHER ADDRESSES OF PEOPLE WHO PAID THE \$10 FEE:

FO DEXTER LEONARD, PO BOX 1093, Albany OR 97321

PEOPLE WITH OBJECTIONS, COMMENTS OR REQUESTED COPY W/O \$10 (SEND THE \$10 LETTER):

DEXTER LEONARD
PO BOX 1093
ALBANY OR 97321

CASEWORKER : RWK

THALLAS

long
orig

2

OREGON WATER RESOURCES DEPARTMENT



Commerce Building
158 12th Street NE
Salem OR 97310-0210

To HANS Nekom Date: 12.1.95 Page 1 of _____

Fax # 541.745.5483

From _____

Comments: _____

Dwight French

Fax. 503-378-2496

Dam Safety	Director's Office	GIS / Mapping
Groundwater	Hanford Studies	Hearings
Hydrographics	Information (Computer) Services	Legislative & Rules Coord.
Public Information	Strat. Planning & Policy Coord.	Water Resources Comm. Liaison

Fax. 503-378-8130

Accounting / Fiscal	CWRE Coordination	Columbia / Snake Issues
Conservation	District 16 Watermaster	Enforcement
GWEB Liaison	Land Use Coordination	Northwest Region
Office Services	Personnel	Planning
Resource Management	Water Development Loan Fund	Water Use Reporting
Well Construction	Well Driller Licensing	

Fax. 503-378-6203

Adjudications	Final Proof Surveys	Hydroelectric Permits
Transfers	Water Rights	

DELIVERED VIA FAX

WATER
RESOURCES
DEPARTMENT

December 1, 1995

Hans Nukom
CH2mHill
FAX: 541-745-5483

Dear Mr. Nukom,

I apologize for the probable butchering of your name.

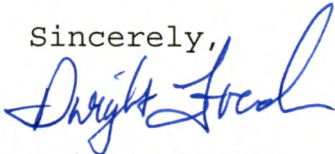
In light of our discussions this morning, and the discussions that you have had previously with members of our Department in the past, I propose to add the following condition the permit for application G13066.

"Any water use must be exercised in accordance with the Water Management Plan for Cascade View Water Supply System, of January 26, 1994, number PW 6598/202/PC2, on file with the Department."

Since the protest period has not technically passed yet, I imagine that it is possible, but not likely, that a permit might not be issued.

If you have any questions or concerns, please give me a call.

Sincerely,



Dwight French
Water Right Section Manager

cc: file1



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

STATE OF OREGON
WATER RESOURCES DEPARTMENT
WATER RIGHTS DIVISION

Before the Director of the Water Resources Department

In the matter of) PROPOSED
Groundwater Application) FINAL
G-13066 submitted by) ORDER
MCDUGAL BROTHERS INVESTMENTS

FINDINGS OF FACT

Water Use Request

1. MCDUGAL BROTHERS INVESTMENTS requested use of 37.0 GALLONS PER MINUTE of water from FOUR WELLS IN BOWERS SLOUGH BASIN within the Willamette basin for DOMESTIC USE FOR 60 UNIT SUBDIVISION.
2. The area of proposed use is in Benton County within SECTION 2 AND SECTION 11, TOWNSHIP 11 SOUTH, RANGE 5 WEST, W.M.
3. The water delivery system is described by the applicant as follows: Four wells with submersible pumps will pump water to storage facilities.
4. The request was made in Application G-13066 which was received by the Water Resources Department on August 6, 1992.

Affected Waters

1. This proposed use of groundwater is not within or above a State Scenic Waterway.
2. There are senior water rights from this source of water.

Department Actions

1. The application was determined to be complete and not defective.
2. The Department determined, based upon OAR 690-09, that the proposed groundwater use will not have the potential for substantial interference with the nearest surface water source, namely an unnamed tributary to Frazier Creek.
3. A technical review of the application was completed and a report of the results of that review was mailed to the applicant on November 30, 1993.
4. The technical review determined:
 - a. DOMESTIC USE FOR 60 UNIT SUBDIVISION is allowed under the Willamette Basin Program.
 - b. The use is not prohibited by Statute.
 - c. Water for the proposed use is available in the amounts requested.
 - d. The use would not injure existing water rights.

5. The report of technical review listed these determinations and disclosed a number of conditions and restrictions that would likely be included in the permit if issued. These conditions and restrictions are listed in the attached draft permit.

Assessment

1. In proceeding with evaluation of Application G-13066, the following criteria were found to be relevant by the Department.

- a. The Willamette Basin Program (OAR Chapter 690, Division 502)
- b. The Benton County Comprehensive Plan and Zoning Ordinance
- c. Groundwater availability as determined by the Groundwater/Hydrology staff (OAR Chapter 690, Division 9)
- d. The established rate and duty for the proposed use
- e. Pending, senior applications and existing water rights of record
- f. Comments received

CONCLUSIONS OF LAW

1. Based upon continued evaluation, the Department finds the determinations of the technical review require modifications as follows: The static water level of the wells must be measured in March and again in September.

2. The period of allowed use is: Year around

3. The Department finds that no more than 37 gpm (0.08 cfs) would be necessary for the proposed use. The amount of water requested, 37.0 GALLONS PER MINUTE (0.08 cfs), is allowed for the proposed use.

4. Benton County Planning Department staff acknowledged receipt of the Department's Land Use Information Form. Since land use information was not postmarked or received within the 30 day comment period initiated pursuant to OAR 690-11-155, the Department has presumed that the land use served by the proposed water use is compatible with the comprehensive plans and land use regulations of affected local governments.

5. The proposed use would not conflict with existing water rights, and, if exercised in accordance with law, rule, and the proposed conditions would not result in injury to existing water users.

6. The proposed use complies with all other rules of the Commission.

7. Pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly, and given the findings listed above, a rebuttable presumption has been established that the use will not impair or be detrimental to the public interest if exercised in the manner described in the attached draft permit.

8. Therefore, the proposed use, as conditioned, and described in the attached draft permit, would not impair or be detrimental to the public interest.

PROPOSED ORDER

IT IS PROPOSED that Application G-13066 in the name of be approved for DOMESTIC USE FOR 60 UNIT SUBDIVISION as provided in the attached draft permit.

DATED October 17, 1995



Steven P. Applegate
Administrator

Water Rights and Adjudications Division

NOTICE:

This Proposed Final Order is issued by the Department pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly.

To seek changes in this proposed final order, you must file a formal protest.

Formal protests to this proposed final order must be made in proper form and accompanied by the statutory fee in the amount of \$200. Note: The applicant is not subject to this fee.

For other than the applicant, if you agree with the findings in this proposed order, but wish to maintain your right to participate in any contested case proceeding or judicial review, you must file a written request for standing. Requests for standing in proceedings relating to this application must be made in the proper form and accompanied by the statutory fee in the amount of \$50.

Protests or requests for standing, along with the appropriate fees must be received by the Water Resources Department in Salem, Oregon by 5:00 pm on December 1, 1995.

Only the applicant and any persons who timely file a protest or request for standing may participate in further proceedings before the Department or the Commission which deal with this Application.

DRAFT
STATE OF OREGON

COUNTY OF Benton

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

MCDOULGAL BROTHERS INVESTMENTS
38437 DEXTER RD
DEXTER, OREGON 97431

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-13066

SOURCE OF WATER: FOUR WELLS IN BOWERS SLOUGH BASIN WITHIN THE WILLAMETTE BASIN

PURPOSE OR USE: DOMESTIC USE FOR 60 UNIT SUBDIVISION

RATE OF USE: 0.08 CFS

PERIOD OF ALLOWED USE: YEAR AROUND

DATE OF PRIORITY: AUGUST 6, 1992

POINT OF DIVERSION LOCATION: WELL # 1 - 1760 FEET NORTH & 790 FEET WEST, NE 1/4 NW 1/4, SECTION 11; WELL # 2 - 2300 FEET NORTH & 460 FEET WEST, NE 1/4 NW 1/4, SECTION 11; WELL # 3 - 3670 FEET NORTH & 220 FEET EAST, SW 1/4 SE 1/4, SECTION 2; WELL # 4 - 3540 FEET NORTH & 940 FEET EAST, SECTION 2; ALL BEING LOCATED FROM THE SW CORNER DLC 38, TOWNSHIP 11 SOUTH, RANGE 5 WEST

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4
SE 1/4 SW 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4
SECTION 2
NE 1/4 NW 1/4
SECTION 11
TOWNSHIP 11 SOUTH, RANGE 5 WEST, W.M.

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
 - B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.
11. The permittee shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to measure static water levels within the permitted well(s) **in March and again in September** or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the permittee shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the permittee's or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The permittee shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

Issued _____, 199_

DRAFT

Water Resources Department
Martha O. Pagel
Director

Application G-13066 Water Resources Department
Basin 02 Volume 5
RWK W F BOWERS SLOUGH

PERMIT DRAFT
District 16

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **130045**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: <u>Dexter A Leonard</u>	APPLICATION
BY: _____	PERMIT
	TRANSFER

CASH: CHECK: # 24-12 OTHER: (IDENTIFY)

TOTAL REC'D \$ 10.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS / MAPS	\$
830.650	PARKING FEES Name / month	\$
_____	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

_____ CASH ACCT. \$
_____ COST CENTER AND OBJECT CLASS _____ VOUCHER #

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS		
840.001	COPY FEES	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY) <u>427-7-0623000</u>	\$ <u>10.00</u>
520.000	OTHER (P-6) (IDENTIFY) <u>PFO</u>	\$

WATER RIGHTS:		EXAM FEE		RECORD FEE
842.001	SURFACE WATER	\$	842.002	\$
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842.006	\$
WELL CONSTRUCTION		EXAM FEE		LICENSE FEE
842.022	WELL DRILL CONSTRUCTOR	\$	842.023	\$
	LANDOWNER'S PERMIT		842.024	\$
_____	OTHER (IDENTIFY)			

06-00-0 WELL CONST. START FEE

842.013	WELL CONST START FEE	\$	CARD #	
_____	MONITORING WELLS	\$	CARD #	
_____	OTHER (IDENTIFY)			

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

		LIC NUMBER	
842.011	POWER LICENSE FEE (FW/WRD)		\$
842.115	HYDRO LICENSE FEE (FW/WRD)		\$
_____	HYDRO APPLICATION		\$

RECEIPT # **130045**

DATED: 11-6-95

BY: Fischer

OREGON WATER RESOURCES DEPARTMENT



RECEIVED
NOV - 6 1995
WATER RESOURCES DEPT
SALEM, OREGON

Commerce Building
158 12th Street NE
Salem OR 97310-0210

NOTICE OF PROPOSED FINAL ORDER

This is to notify you that the Water Resources Department has issued a Proposed Final Order (PFO) on an application which may interest you. Attached is an excerpt from our weekly public notice, identifying the application we believe you may be interested in.

A PFO is the Department's preliminary decision on a water use request. It documents the agency's decision through specific findings. If appropriate, it includes a draft permit specifying any conditions or restrictions on the use.

Persons interested in receiving a mailed copy of a PFO must pay a statutorily-required fee of \$10. (Any person paying \$10 to receive a PFO by mail will also receive a copy of the Final Order when it is issued.) PFO's may be viewed for free at the Department's Salem office or at watermasters' offices; you may make your own copies for the standard copy charge.

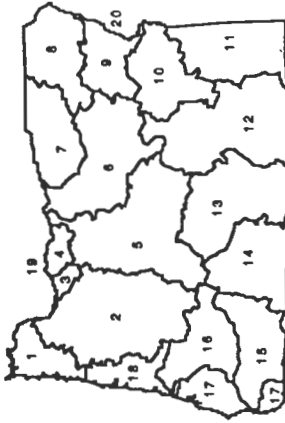
If you do not request a copy of the PFO, you may not be notified of subsequent action on the referenced application.

Opportunities for Further Public Involvement

Those disagreeing with the Department's decision as expressed in the PFO have 45 days from the date the PFO was issued to file a protest.

The protest filing fee is \$200 for everyone but the applicant. Detailed requirements for filing a protest will be sent with copies of the PFO. Persons who support the PFO may file a "standing" fee of \$50 to retain the ability to participate in future proceedings relating to an application. To participate, an additional \$150 is required at the time of the proceeding.

For additional information, call the Water Rights Information Group, extension 499 at either 503-378-8455 or 800-624-3199. Please have the application file number ready.



How To Read the Listing

Applications are organized by Oregon's major river basins, as listed below:

- 1-North Coast
- 2-Willamette
- 3-Sandy
- 4-Hood
- 5-Deschutes
- 6-John Day
- 7-Umatilla
- 8-Grande Ronde
- 9-Powder
- 10-Malheur
- 11-Owyhee
- 12-Malheur L.
- 13-Goose/Summer
- 14-Klamath
- 15-Rogue
- 16-Umpqua
- 17-S. Coast
- 18-Mid Coast
- 19-Columbia
- 20-Snake

G-12345	2	Dry Cr->Clackamas R.	0.50	C	IR	40.00	SENE,SECTION 9,T16S,R4W	Bill Clinton...	PFO
Basin number		The source What it flows into	Amount			Acres watered	Legal description of general area of use: "Southeast quarter of the Northeast quarter of Section 9, Township 16 South, Range 4 West."	Applicant name & address	Stage of Review: IR= initial review; PFO=proposed final order
Application Number: G=groundwater R=reservoir S=surface I=instream		Unit of measure: C = cubic feet per second G = gallons per minute A = acre-feet							
		Type of use (e.g.: IR = irrigation; please refer to codes below)							

Some commonly-used Type of Use abbreviations (for definitions, please consult Oregon Administrative Rules Chapter 690, Division 11):

- AG-agriculture
- CM-commercial
- CR,CH,CF-cranberry uses
- CS-campground
- DI-domestic, incl. lawn & garden
- DO-domestic
- FF-fire protection
- GD-group domestic
- GR-groundwater recharge
- GT-geothermal
- ID,IL-irrigation with Domestic or Livestock use, respectively
- IM-industrial, manufacturing
- IR-irrigation
- IS-supplemental irrigation
- LV,LW-livestock/wildlife
- MI-mining
- MU-municipal
- NU-nursery use
- PA-pollution abatement
- PW-power
- QM-quasi-municipal
- RC-recreation
- RW-road construction
- ST-storage
- SW-swimming
- TC-temperature control

RECEIVED
NOV - 6 1995
WATER RESOURCES DEPT.
SALEM, OREGON

PROPOSED FINAL ORDER REQUEST FORM

Your Name, Address, and Phone Number:

Dexter A Leonard
PO Box 1093
Albany, OR 97321

Phone: 503 745 7517

Please send me the Proposed Final Order for Water Right Application:

6-13066

Return this form and \$10 per PFO to:

PFO Requests
Proposed Final Order Team
Oregon Water Resources Department
158 12th St. NE
Salem OR 97310

sent
11/8/95

Please include a check made out to the Oregon Water Resources Department in the amount of \$10 for each proposed final order you would like mailed to you. This fee entitles you to also receive a copy of the final order, when issued.

PFO CHECKLIST

Application #: C 15066 Vol 5 Subbasin WF 500001 SL QUIC 14
Basin: 2 WAB: 010534
Township 11S Range 5W Section 2, 11 1/4 1/4 NE & SE 1/4 SW 1/4 } SEC 2
NW & SW 1/4 SE 1/4 } SEC 11

- 1. Items have been verified on Completeness Checklist.
- 2. Check file for indicators that the process **should not** continue until a later date (ie - protest, items (other than oath) missing from the completeness check, letter to file indicating hold, or other)
- 3. A groundwater review has been evaluated for substantial interference with surface water (convert old gw conditions to the 7 series and add to the PFO, if necessary) No SUBST INT 4H (7A) 8E MONTHLY MARCH + SEPT
a. Is second groundwater review necessary? (objection, in or within a mile of a scenic waterway)

- NA 4. Is the Proposed Use located in or above a Scenic Waterway?
- NA 5. Is the proposed use located in a TMDL Basin? (Tualatin, Yamhill, Pudding)
- 6. Is the use allowed or limited by the Basin Program?
- NA 7. Is the source withdrawn or limited? - State Engineer, Legislative (ORS 538), etc.

8. Basin Maps (metal cabinet) have been checked and River Mile (_____) has been identified

NA 9. Water Availability Data has been verified (50% before July 17, 1992; 80% live flow & 50% storage after July 17, 1992)

NA 10. Rate 37 GPM (.08 cfs) Duty _____ Irrigation Season Gene On

11. Period of Allowed Use VR ARND

NA 12. Is use from a B.O.R. project and if so, is a signed contract in the file?

NA 13. Division 33 has been addressed - if applicable (Above Bonn after July 17, 1992 & Below Bonn after April 18, 1994 or June 3, 1994)

NA 14. Have conflicts been identified, verified and/or addressed?

15. Comments PRMPT TO TR NOV 3, 92
DETER LEONARDO
PO BX 1053
ALBANY OR 97321

16. Land use approval SIGNED OFF / APPROVAL NOT INDICATED

17. Is the use Small (<=0.1cfs, <=9.2AF), Medium (>0.1 or <1.5cfs, >9.2 or <100AF) or Large (>=1.5 cfs, >=100 AF)? _____

18. Check TR/IR for permit conditions not included in the Draft Permit attached to the PFO

21. Watermaster District #: 16

22. Regional Office (NWR, NCR, ER, SCR, or SWR): _____

25. PFO has been saved and moved to m:\t\pfo\done\application # from m:\t\pfo\work\application #

Name: RWK Date: 10/6/95

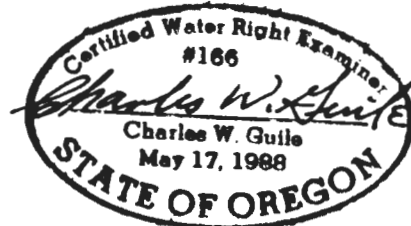
T 11 S. R. 5 W. W. M.
 SECTIONS 2 & 11
 WATER RIGHT APPLICATION
 MAP FOR
 McDougall Bros. Investments
 CASCADE VIEW ESTATES
 BELTON COUNTY, OREGON

RECEIVED

SEP 18 1992

WATER RESOURCES DEPT.
 SALEM, OREGON

CHARLES W. GUILLE
 & ASSOCIATES, CO.
 Land Surveying
 52 Centennial Loop
 Eugene, OR 97401



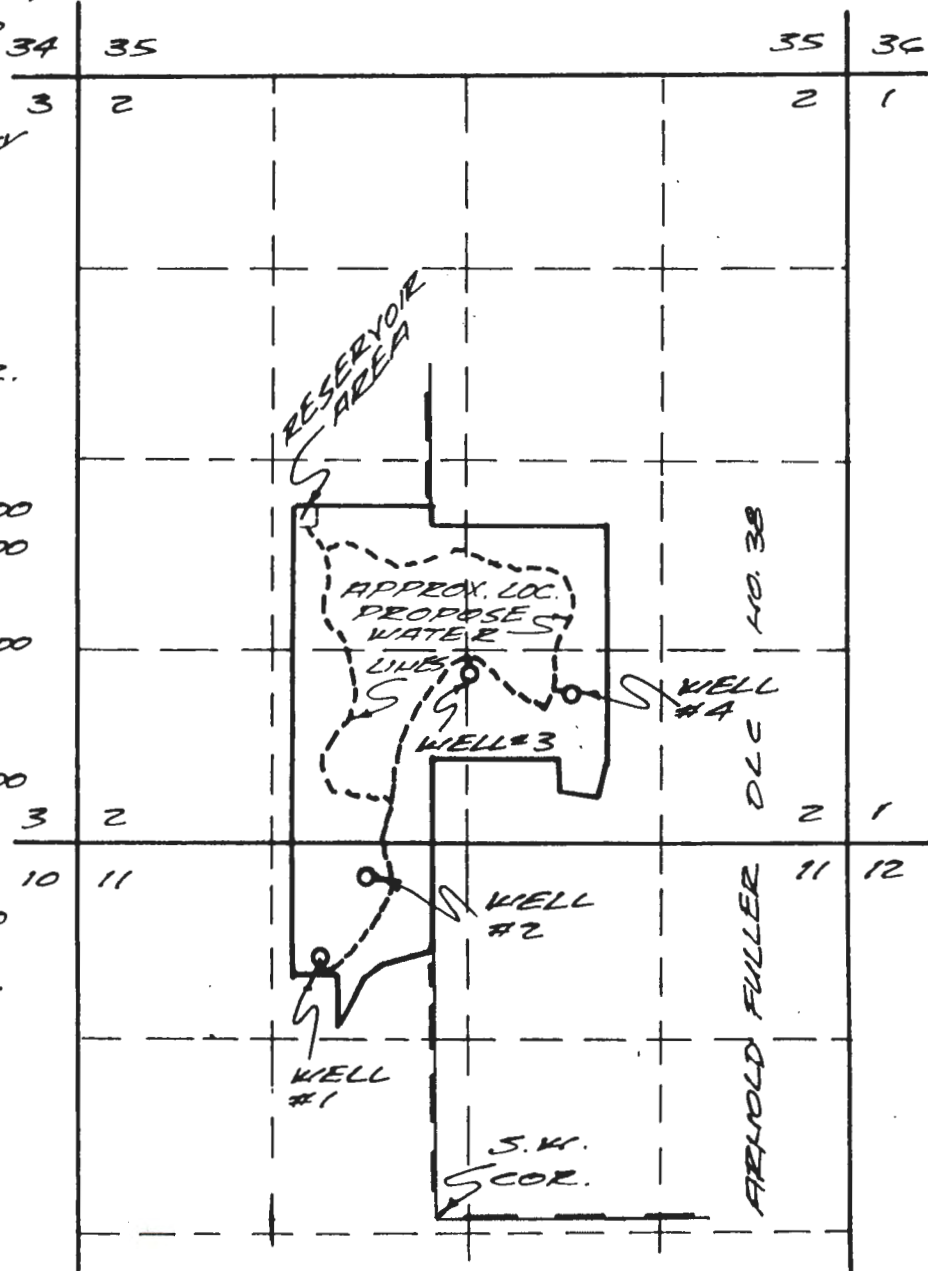
THIS MAP IS FOR WATER
 RIGHT PURPOSES ONLY
 AND IS NOT INTENDED
 TO PROVIDE
 DIMENSION FOR
 LOCATING PROPERTY
 BOUNDARIES

FROM THE S.W. COR.
 OF THE FULLER
 D.L.C. NO. 38

- 1) WELL #1 IS 1760.00
 NORTH AND 790.00
 WEST
- 2) WELL #2 IS 2300.00
 FEET NORTH AND
 460.00 WEST
- 3) WELL #3 IS 3670.00
 NORTH AND 200
 FEET EAST
- 4) WELL #4 IS 3540.0
 FEET NORTH AND
 940.00 FEET EAST



SCALE 1" = 1320'
 JULY 31, 1992



01554

92-47

fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses.

(3) Multnomah Channel and drainage waters originating within drainage districts are classified for domestic, livestock, municipal, industrial, irrigation, commercial, agricultural, mining, power, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses.

(4) Except as specified in subsections (1)(a), (b) and (c) of this rule, all stream systems in the Columbia Subbasin and Columbia Slough are classified year-round only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses.

Stat. Auth.: ORS 536.300 & 536.340

Hist.: WRD 4-1992, f. & cert. ef. 3-13-92

Groundwater Classifications and Conditions

690-502-160 (1) Use of groundwater from the basalt aquifer within the Cooper-Bull Mountain Critical Groundwater Area shall be as described in the State Engineer's order designating the Cooper-Bull Mountain Critical Groundwater Area dated May 17, 1974.

(2) Groundwater Classification: The ground-water resources of the Willamette Basin are classified for domestic, livestock, irrigation, municipal, industrial, agricultural, commercial, power, mining, recreation, fish life, wildlife, pollution abatement, wetland enhancement and statutorily exempt groundwater uses with the following exceptions:

(a) Groundwater from the *shallow* Troutdale aquifer and the specially designated portion of the *deep* Troutdale aquifer in the Sandy-Boring area is classified for exempt uses only. The Sandy-Boring Groundwater Limited Area is as described and shown in Exhibit 1. Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed and shall contain the Special Permit Conditions specified in section (4) of this rule. Applications may be rejected if the aquifer displays any of the adverse impacts defined in OAR 690-08. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications;

(b) Groundwater from the basalt aquifers in the Damascus, Glad Tidings, Kingston, Mt. Angel, Parrett Mountain, and Stayton-Sublimity areas, and the Troutdale aquifer in the Damascus area is classified for exempt uses only. = it after Oct 4

(A) The Damascus Groundwater Limited Area is as described and shown in Exhibit 2. The Glad Tidings Groundwater Limited Area is as described and shown in Exhibit 3. The Kingston Groundwater Limited Area is as described and shown in Exhibit 4. The Mt. Angel Groundwater Limited Area is as described and shown in Exhibit 5. The Parrett Mountain Groundwater Limited Area is as described and shown in Exhibit 9. The Stayton-Sublimity Groundwater Limited Area is as described and shown in Exhibit 7;

(B) Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed. Permits may be issued for a period not to exceed five years and shall contain the Special Permit Conditions specified in section (9) of this rule. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications may be rejected or permit or certificate extensions may be denied if the aquifer displays any of the adverse impacts defined in OAR 690-08. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications. Within two years of permit issuance, the applicant shall prepare a plan for the Water

RECEIVED

AUG 06 1992

Application No. G-13066

State of Oregon
WATER RESOURCES DEPARTMENT

WATER RESOURCES DEPT.
SALEM, OREGON

Application for a Permit to Appropriate Ground Water

Applicant(s) McDougal Bros. Investments
(Please print or type - use dark ink)

Mailing Address: 38437 Dexter Rd.
Dexter, OR 97431 (503) 937-2181
City State Zip Daytime Phone No.

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. **THE DEVELOPMENT** (number of wells, tile lines, infiltration galleries, etc.): 4 Wells

If development is less than one mile from a natural stream, give the following:

Distance from development to stream: 4,300 feet

Elevation difference between streambed and development: 160 feet

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

Diameter of well: See attached drillers logs Depth in feet: _____

Type and size of well casing: _____ No. of feet: _____

Estimated depth to water: _____

Type of access port or measuring device: _____

Wells to be drilled by: _____

Address: _____

If the water well is flowing artesian, describe your water control and conservation works: _____

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: _____ cubic feet per second, OR 37 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: _____

3. **INTENDED USE(s) OF WATER:** Domestic

If for more than one use, give the quantity of water from each source for each use; _____

If for **DOMESTIC** use, state the number of households to be supplied; 60 maximum

If for **MUNICIPAL OR QUASI-MUNICIPAL** use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

43 Unit subdivision and potentially 17 additional units.

Anticipate up to 180 people using an average 440 gpd with a peak of 880 gpd. Area served - see map.

If for **MINING** use, state the nature (gold, silver, etc.) of the mines to be served; _____

If for **IRRIGATION**, or other land area use, state the **TOTAL** number of acres to be developed under each use;

Irrigation _____

Other (describe) _____

4. **DESCRIPTION OF WATER DELIVERY SYSTEM:** Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

In the design stages. 4 wells with submersible pump and a storage reservoir(s).

5. **PROJECT SCHEDULE:** (List month and year)

Proposed date construction work will begin October 1992

Proposed date construction work will be completed December 1992

Proposed date water use will be completed November 1992

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____, 19____.

WITNESS my hand this _____ day of _____, 19____.

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 6th day of August, 1992, at 10:30 o'clock, A M.

APPLICATION NO: G 13066

January 29, 1996

WATER
RESOURCES
DEPARTMENT

BENTON COUNTY/CASCADE VIEW WATER
DISTRICT HOMEOWNERS ASSN
360 SW AVERY AVE
CORVALLIS OR 97333

REFERENCE: File G-13066

The assignment of Application G-13066 from McDougal Brothers Investments to you has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with our receipt number 130904 covering the recording fee of \$10 you submitted.

Sincerely,

DALLAS S. MILLER
Water Rights Specialist

DSM:jh

Enclosure

cc: McDougal Brothers Investments
Dave Jarrett, Watermaster



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **130904**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Land Planning
BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # 96-6005 OTHER: (IDENTIFY)

TOTAL REC'D \$ 10⁰⁰

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS / MAPS	\$
830.650	PARKING FEES Name / month	\$
_____	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

_____	CASH ACCT.	\$
_____	VOUCHER #	
_____	COST CENTER AND OBJECT CLASS	

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS		
840.001	COPY FEES	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY) <u>assignment</u>	\$ <u>10⁰⁰</u>
520.000	OTHER (P-6) (IDENTIFY)	\$

WATER RIGHTS:

842.001	SURFACE WATER	EXAM FEE	842.002	RECORD FEE
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842-006	\$

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	EXAM FEE	842.023	LICENSE FEE
_____	LANDOWNER'S PERMIT	\$	842.024	\$
_____	OTHER (IDENTIFY)			

06-00-0 WELL CONST. START FEE

842.013	WELL CONST START FEE	\$	CARD #	
_____	MONITORING WELLS	\$	CARD #	
_____	OTHER (IDENTIFY)			

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

842.011	POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
842.115	HYDRO LICENSE FEE (FW/WRD)		\$
_____	HYDRO APPLICATION		\$

RECEIPT # **130904**

DATED: 12-11-95 BY: Flo Lissner

OREGON WATER RESOURCES DEPARTMENT



RECEIVED

DEC 11 1995

RESOURCES DEPT.
SALEM, OREGON

Commerce Building
158 12th Street NE
Salem OR 97310-0210

To Geri Date: 12-1-95 Page 1 of 2

Fax # 541 746 5126

From Dwight French

Comments: _____

Thanks!

Thanks Dwight
geri

Fax. 503-378-2496

Dam Safety	Director's Office	GIS / Mapping
Groundwater	Hanford Studies	Hearings
Hydrographics	Information (Computer) Services	Legislative & Rules Coord.
Public Information	Strat. Planning & Policy Coord.	Water Resources Comm. Liaison

Fax. 503-378-8130

Accounting / Fiscal	CWRE Coordination	Columbia / Snake Issues
Conservation	District 16 Watermaster	Enforcement
GWEB Liaison	Land Use Coordination	Northwest Region
Office Services	Personnel	Planning
Resource Management	Water Development Loan Fund	Water Use Reporting
Well Construction	Well Driller Licensing	

Fax. 503-378-6203

Adjudications	Final Proof Surveys	Hydroelectric Permits
Transfers	Water Rights	

COMPLETENESS DETERMINATION CHECKLIST

Application #	Review Date	Reviewer
G-13066	10/4/95	CORY

A checkmark (✓) indicates that the item is incomplete or defective.

- 1. Examination fees (and recording fees, if for PFO/FO).
- 2. Name and address of the applicant, and title if applicable.
- 3. Source of water.
- 4. Use of water.
- 5. Amount of water.
- 6. Description of delivery system.
- 7. A statement of **whether** the applicant has written authorization or easements permitting access to lands owned by others.
- 8. Name(s) and address(es) of the owners of any lands involved, but not owned by the applicant.
- 9. Proposed dates of beginning and completion of construction, and complete application of water.
- 10. If for **municipal use**, the present population to be served and expected future water requirements.
- 11. If for **mining use**, the type of mines and methods of supplying & utilizing the water.
- 12. If for a **reservoir**:
 - a. The height of the dam.
 - b. The storage capacity.
 - c. The area submerged.
 - d. The maximum depth.
 - e. The construction method (earthfill, concrete, flashboard, etc.).
 - f. A description of the outlet conduit.
 - g. A description of the spillway.
- 13. If for **groundwater**, the horizontal distance from the well to the nearest surface water source (if within one mile), and the difference in land surface elevation between them.
- 14. If the application was made under **HB 2107**:
 - a. Name and address of each adjacent property owner and verification that each owner has been mailed a copy of the completed notice.
 - b. A description of the proposed water used and related project, the condition it will address, and the benefits that are expected to result from the project.
 - c. The number of reservoirs per application is appropriate as per OAR 690-11-049 (3)(b)
- 15. An oath that the application information is true and correct.
- 16. The signature of the applicant(s).
- 17. A satisfactory map of the proposed POD & POU.
- 18. A Land Use Information Form or receipt.
- 19. A legal description of the property where water will be used.

COMPLETED

October 14, 1994

MCDUGAL BROTHERS INVESTMENTS
38437 DEXTER RD
DEXTER OR 97431

RE: Reference File G-13066

Dear Water Rights Applicant:

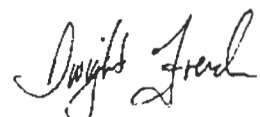
During our review of your application we have found that your file does not include a statement verifying that the information contained in the application is true and accurate, as required by OAR 690-11-020(i).

We are not able to continue processing your application until we receive a verifying statement.

Please sign the verifying statement at the bottom of this letter and return the bottom portion of this letter in the enclosed self-addressed envelope. We will continue processing your application when we receive the signed statement. However, in order to maintain your priority date, you must return the signed statement within 60 days.

If you have questions, feel free to call our Water Rights Information Group (WRIG) at 1 (800) 624-3199.

Sincerely,



Dwight French, Manager
Water Right Section

-----C-U-T- -H-E-R-E-----

ATTENTION FILE: G-13066

I/we certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

Dwight French 10/26/94
Applicant Signature Date Co-Applicant (if any) Date

WATER RESOURCES DEPT.
SALEM, OREGON

OCT 28 1994

10/28/94



RECEIVED

OCT 28 1994

WATER RESOURCES DEPT.
SALEM, OREGON



Mc Dougal Bros.

INVESTMENTS

COPY

December 16, 1993

Oregon Water Resources Department
Water Rights Division
3850 Portland Road N.E.
Salem, Or 97310

Attention: Steve Brown, Manager
RE: Your File No. G 13066

Mr. Brown,

I have received your department's "satisfactory report of technical review" dated November 30, 1993.

This letter will certify that the information I have provided in application number G 13066 is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.

Enclosed is a check for \$25 which, together with our previous \$300 payment, fulfills your application fee requirement.

Thank you for your attention to our water rights request.

Sincerely,

Norman McDougal

Enclosure

NM/lp

Vineyard Mountain Water and Improvement District
1615 NW Worden Circle
Corvallis, OR 97330
(503) 745-5483

Happy Valley/Vineyard Drive Water Well Owners
6455 NW Vineyard Drive
Corvallis, OR 97330
(503) 745-5168

February 4, 1994

RECEIVED

FEB - 7 1994

WATER RESOURCES DEPT.
SALEM, OREGON

Mr. Steve Brown
Manager, Water Rights Division
Water Resources Department
3850 Portland Road NE
Salem OR 97310

Reference: G-13066

Dear Mr. Brown:

We have reviewed the Department's Technical Review for a Water Use Permit for the Cascade View Estates and have in general no objections to the Technical Review except for Item 11 of the PROPOSED PERMIT CONDITIONS for which we request the following additions:

- 1) Include water use reduction measures based upon static water level decline in **off-site monitoring wells** as defined in Paragraph "Criteria for Water Use Reduction" Page 8 of the Water Management Plan.
- 2) Incorporate by reference the Water Management Plan in its entirety as part of the Permit Conditions for the Cascade View Estate Water System.

It is important to note that the above referenced Criteria for Water Use Reductions for off-site wells were agreed upon with the developer in exchange for withdrawing our appeal to the Issuance of the Conditional Use Permit by Benton County. Subsequently the County accepted these provisions as part of its Water Management Plan for the subdivision when it takes over and operates the system.

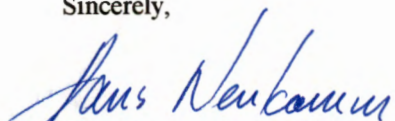
In accordance with our conversation of December 2, 1993, we understand that the Water Management Plan in its entirety will be referenced and made a part of the Permit Conditions for Cascade View Estate Water System.


For your reference, we have attached the latest Water Management Plan Documents that represent and include agreements reached between Benton County and well owners on January 24, 1994. These documents include the following:

Water Management Plan - PW 6598/202/PC2 - dated January 26, 1994
Water Rate Order - PW 6133/61/PC1 - dated January 7, 1994
Rules and Regulation Ordinance - PW 6100/61/PC1 - dated September 27, 1993

Please call if more information or clarifications are needed.

Sincerely,


Hans Neukomm, President
Vineyard Mountain Water District


Roger Blair Representative
Happy Valley/Vineyard Drive Water Well Owners

November 30, 1993

McDOUGAL BROTHERS INVESTMENTS
38437 DEXTER ROAD
DEXTER, OR 97431

Reference: File G 13066

Hello:

Under separate cover I have enclosed our report of technical review. This process is fairly new to staff and has taken more time to complete than anticipated; however, we believe that the process is more fair and will allow staff to deal with issues in a more timely manner. I truly apologize for the delay.


The technical review reveals that your proposed use of water is group domestic. Prior to issuance of the permit, we will need to receive total fees in the amount of \$325.00; being an examination fee of \$200.00, permit recording fee for the group domestic use of \$125.00. Since you have previously submitted \$300.00, an additional amount of \$25.00 is required.

It will be necessary for you to submit a signed statement that you "certify that the information you have provided in application number G 13066 is an accurate representation of the proposed water use and is true and correct to the best of your knowledge."

After submission of fees, certification and the deadline for objections to the technical review expires, staff will again review the file for objections and further process your application as soon as possible.

Please feel free to contact me if you have any questions and I will be happy to address any concerns you may have.

Sincerely,



STEVE BROWN
Manager
Water Rights Division

cc: Charles w. Guile, CWRE

SB/eg





Mc Dougal Bros.
INVESTMENTS



December 16, 1993

Oregon Water Resources Department
Water Rights Division
3850 Portland Road N.E.
Salem, Or 97310

Attention: Steve Brown, Manager
RE: Your File No. G 13066

Mr. Brown,

I have received your department's "satisfactory report of technical review" dated November 30, 1993.

This letter will certify that the information I have provided in application number G 13066 is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.

Enclosed is a check for \$25 which, together with our previous \$300 payment, fulfills your application fee requirement.

Thank you for your attention to our water rights request.

Sincerely,

Norman McDougal

Enclosure

NM/lp

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **108232**

3850 PORTLAND ROAD NE
SALEM, OR 97310
378-8455/378-8130 (FAX)

G

RECEIVED FROM: <u>Cascade View</u>	APPLICATION: <u>13066</u>
BY: <u>Estates Water District</u>	PERMIT: _____
	TRANSFER: _____

CASH: <input type="checkbox"/>	CHECK: # <input checked="" type="checkbox"/> <u>24-22</u>	OTHER: (IDENTIFY) <input type="checkbox"/>	TOTAL REC'D: \$ <u>25.-</u>
--------------------------------	---	--	-----------------------------

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
_____	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
COST CENTER AND OBJECT CLASS	VOUCHER #

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:			
840.001	COPY FEES	\$	
850.200	RESEARCH FEES	\$	
880.109	MISC REVENUE: (IDENTIFY)	\$	
520.000	OTHER (P-6) (IDENTIFY)	\$	
WATER RIGHTS:			
842.001	SURFACE WATER	\$	
842.003	GROUND WATER	\$	
842.005	TRANSFER	\$	
WELL CONSTRUCTION			
842.022	WELL DRILL CONSTRUCTOR	\$	
	LANDOWNER'S PERMIT	\$	
	OTHER (IDENTIFY)	\$	

refile

EXAM FEE		RECORD FEE
\$	842.002	\$ 25.-
\$	842.004	\$ <u>25.-</u>
\$	842.006	\$
EXAM FEE		LICENSE FEE
\$	842.023	\$
	842.024	\$

06-00-0 WELL CONST START FEE

842.013	WELL CONST START FEE	\$	CARD #
	MONITORING WELLS	\$	CARD #

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

	LIC NUMBER	
842.011	POWER LICENSE FEE(FW/WRD)	\$
842.115	HYDRO LICENSE FEE(FW/WRD)	\$
	HYDRO APPLICATION	\$

RECEIPT # **108232**

DATED: 12-22-93 BY: D Bushnell

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **108232**

3850 PORTLAND ROAD NE
SALEM, OR 97310
378-8455/378-8130 (FAX)

G

RECEIVED FROM: <u>Cascade View</u>	APPLICATION <u>13066</u>
BY: <u>Estates Water District</u>	PERMIT
	TRANSFER

CASH: CHECK: # 24.22 OTHER: (IDENTIFY)

TOTAL REC'D \$ 25.

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
_____	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
COST CENTER AND OBJECT CLASS	VOUCHER #

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:			
840.001	COPY FEES		\$
850.200	RESEARCH FEES		\$
880.109	MISC REVENUE: (IDENTIFY)		\$
520.000	OTHER (P-6) (IDENTIFY)		\$
WATER RIGHTS:			
842.001	SURFACE WATER		\$
842.003	GROUND WATER		\$
842.005	TRANSFER		\$
WELL CONSTRUCTION			
842.022	WELL DRILL CONSTRUCTOR		\$
	LANDOWNER'S PERMIT		\$
	OTHER (IDENTIFY)		\$

refile

EXAM FEE		RECORD FEE
\$	842.002	\$ 25.
\$	842.004	\$ <u>25.</u>
\$	842.006	\$
EXAM FEE		LICENSE FEE
\$	842.023	\$
	842.024	\$

06-00-0 WELL CONST START FEE

842.013	WELL CONST START FEE	\$	CARD #
	MONITORING WELLS	\$	CARD #

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

	HYDRO APPLICATION	LIC NUMBER	\$
842.011	POWER LICENSE FEE(FW/WRD)		\$
842.115	HYDRO LICENSE FEE(FW/WRD)		\$

RECEIPT # **108232**

DATED: 12-22-93 BY: D. Bushnell

11

COPY CHECK-OFF SHEET FOR TECHNICAL REVIEWS

CC: FILE # 9-13066

WATERWATCH

ODF&W

WATERMASTER # 16

REGIONAL MANAGER - Northwest

DEQ

OTHER ADDRESSES: Dexter Leonard P.O. Box 1093 Albany OR 97321

K Stahr

CWRE: Charles Guile

* Hans Newkomm, Pres. Vin.

1615 NW Warden Circle
Corvallis OR 97330

CASEWORKER

SG

TS

ORIGINAL TO APPLICANT

TECHNICAL REVIEW CHECKLIST

Application: # 9-13066

Review Date: 06/10/93

- S indicates information was completed or adequately addressed.
- U indicates information is needed, or incomplete, or inadequately addressed
- N/A indicates Not Applicable

SUMMARY	
<u>U</u> <u>S</u>	Completeness: <i>Certification of Accuracy, Fees</i> Land Use
<u>S</u>	GW Interference (if potential interference with surface water, see results of water availability analysis)
<u>U</u> <u>S</u>	Conflicts: <i>Possible Conflict w/ Cert. 34006 (App. 40761) in NENW Sec. 11</i> Water Availability

U

The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge.

n/a

No oath is required because application was filed before June 5, 1992.

U

Application fees:

Examination fee:	\$ 200
Recording fee:	\$ 125
TOTAL REQUIRED	\$ 325
TOTAL SUBMITTED	\$ 300
AMOUNT DUE prior to issuance of permit	\$ 25
AMOUNT OVERPAID	
refund due applicant	\$ -

S

Proposed dates of beginning and completion of construction, and complete application of water.

S

A satisfactory map of the proposed place of water use prepared by a certified water right examiner, unless exempt under OAR 690-14-150(3).

n/a

A CWRE map is not required for applications filed before November 9, 1987.

5 A written copy of the legal description of the property on which the water is to be used.

1/1 A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.

1/1 No statement of ownership was required for applications filed before August, 1990.

- The report from watermaster has been received.

5 The proposed use is not restricted or prohibited by statute.

5 The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.

5 Domestic use(s) is/are classified uses(s) under the Willamette Basin Program, OAR 690 -502-16 .(2)

5 The application, map and supporting data are complete and free of defects.

Land Use Compatibility:

As expressed by the Planning Department of Benton County

1/1 The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section _____).

1/1 The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.

5 The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For ground water applications:

5 A copy of the constructor's log, if available, for any well already constructed, or required information regarding actual or anticipated construction.

5 The report from groundwater section has been received.

For reservoir applications:

1/1 Plans, specifications and supporting information for the dam and impoundment area.

TOWNSHIP 11 S. RANGE 5 W. W. M. SECTION 2																		
NE				NW				SW				SE				APPLICA- TION NUMBER	PERMIT NUMBER	CERTIFI- CATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
D.L.C. 38 5.39	D.L.C. 38 9.49	D.L.C. 37 Lot 2	D.L.C. 37 Lot 3	D.L.C. 38 Lot 4	D.L.C. 38 Lot 5	D.L.C. 38 Lot 6	D.L.C. 37 Lot 7											
TOTAL ACREAGE IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT																		
5.39 9.49				36.38 42.32				32.32 32.32				32.32						
2														21774	17099	CANCELLED		
2.0														21715	17100	CANCELLED		
2.0														33700	26636	33325		
1.0														37764	28138	33311		
Reb Fish														R-48530	R-5853	45849		
														48531	36145	45850		
Dom														6-13066				

(SEE BACK OF CARD FOR PLAT OF SECTION)

TOWNSHIP 11 S. RANGE 5 W. W. M. SECTION 11																		
NE				NW				SW				SE				APPLICA- TION NUMBER	PERMIT NUMBER	CERTIFI- CATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
D.L.C. 38	D.L.C. 41	D.L.C. 38	D.L.C. 38	D.L.C. 38	D.L.C. 42	D.L.C. 42	D.L.C. 41											
TOTAL ACREAGE IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT																		
				26				1.0										
Dom														15941	11781	13462		
														61-58	31-1372			
18 42														40761	30354	34006		
														43267	30341	CANCELLED		
														57725	63561	CANCELLED		
														26	16752	34722 40178		
Dom														6-13066				

(SEE BACK OF CARD FOR PLAT OF SECTION)

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Used
See attached legal description of proposed service area boundaries.				

The following section must be completed by all local planning departments responsible for the property(ies) listed above. Please ask the Department for extra forms, as needed.

For Local Government Use Only

Local government planning officials are to complete the remainder of this form and return it to the applicant or the Water Resources Department (3850 Portland Rd. NE, Salem, OR, 97310) within 60 days of the date of receipt as shown below. If the form is not completed within 60 days, the Department may take action to approve the water use.

a) Check the appropriate box below and provide requested information.

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____ . Go to section b) on reverse side.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)**

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily

(over)

WRD Applicant Name: _____

Receipt for Request for Land Use Information

This section should be completed by a local government official and returned to the applicant upon request by the applicant for land use information.

City or County: _____

Staff Contact: _____ Phone: _____

Signature: _____ Date of Information Request: _____

Planning Official Initials: SJA

Description of Water Use

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

RECEIVED

AUG 06 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Applicant Name: McDougal Bros. Investments
Address: 38437 Dexter Rd.
Dexter, OR 97431
Phone: (503) 937-2181

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- Irrigation (crop type, golf course, nursery or greenhouse): _____
- Livestock (type of livestock, feedlot, slaughterhouse): _____
- Residential (# units, single or multi-family, # lots if partition or subdivision): 60 lots
- Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____
- Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____
- Institutional (i.e., school, library, etc.): _____
- Mining (aggregate, metal, open pit, placer, etc.): _____
- Recreation (park, campsite, pond, etc.): _____
- Fish and Wildlife (pond, hatchery, etc.): _____
- Hydropower (dam, reservoir, power generating or transmitting facilities): _____
- Other (Name and list key characteristics): _____

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input type="checkbox"/> Surface Water Name sources: _____ _____ _____	_____ Cubic feet per second. <u>37</u> Gallons per minute. _____ Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input type="checkbox"/> Ground Water	

Little Tract 2 (model)

RECEIVED

AUG 06 1992

EXHIBIT "A"

WATER RESOURCES DEPT.

The North 3196.73 feet, (from the easterly projection of the South ~~East~~ ^{South} line of-
way line of Burgundy Drive of VINEYARD MOUNTAIN SEVENTH ADDITION, as
platted and recorded in Book 8, Page 143, Benton County Plat Records), of
the following described tract of land, (as described in Book 158, Page 331,
Benton County Oregon Deed Records):

The East one-half of the following described premises, to-wit: Beginning at
the Southwest corner of Claim No. 38, it being the original Donation Land
Claim of Arnold Fuller, in Township 11 South, Range 5 West; running thence
North 73.51 chains; thence West 10 chains to the true point of beginning;
thence West 10 chains; thence South 75 chains to the boundary line in the
center of the County Road between the lands of Edgar Bicknell and Nancy H.
Vineyard (on July 3rd, 1895); thence East along the center of said County
Road 10 chains; thence North to the place of beginning, all lying and being
situated in Sections 2 and 11 in Township 11 South, Range 5 West of the
Willamette Meridian, in Benton County, Oregon.

STATE OF OREGON } ss. 129501
County of Benton }

I hereby certify that the within
instrument was received for record

'91 OCT 4 AM 9 33

and assigned No 140141 1991

In the Microfilm records of said county

Witness My Hand and Seal of County Affixed

DANIEL G. BURK

DIRECTOR OF RECORDS & ELECTIONS

By *Marilyn Penill*
DEPUTY

Little Tract

EXHIBIT "A"

RECEIVED

AUG 06 1992

WATER RESOURCES DEPT.
SALEM, OREGON

PARCEL 1:

Beginning at a point on the West line of and North 2,995.26 feet from the Southwest corner of the Arnold Fuller Donation Land Claim No. 38 in Township 11 South, Range 5 West of the Willamette Meridian in Benton County, Oregon; thence South 70° 22 3/4' East 775.09 feet more or less to a 1/2 inch pipe which bears North 33° 35 1/2' West 507.75 feet from the Northeast corner of a 4 acre tract of land as surveyed in Benton County Survey 2866; thence North 41° 59' East 192 feet to a 1/2 inch pipe; thence South 78° 34' East 259.4 feet to a 1/2 inch pipe; thence North 17° 04' East 286 feet more or less to the most Westerly Southwest corner of that tract of land conveyed on Page 398 of Book 49 of Benton County Deed Records; thence North along West side of said tract 24.41 chains more or less to a point which is East of and 70.66 chains North of the Southwest corner of aforementioned Donation Land Claim No 38; thence West 18.44 chains to the West line of said Donation Land Claim No. 38; thence South 1,668.3 feet to the place of beginning, all in Benton County, Oregon.

EXCEPTING THEREFROM that portion which lies within the following:

Beginning at a 5/8 inch iron rod on the West line of the Arnold Fuller Donation Land Claim No. 38, Section 2, Township 11 South, Range 5 West, Willamette Meridian, Benton County, Oregon; said rod being the Southwest corner of the parcel conveyed to Benjamin R. and Celena Little per Book 165 at Page 18, Deed Records of Benton County; and lying North 2,995.26 feet from the Southwest corner of said Fuller claim; thence along the West line of said claim North 0° 08' 50" West 117.16 feet to a 5/8 inch iron rod; thence leaving said line East 859.32 feet to a 5/8 inch iron rod; thence South 235.00 feet to a 1/2 inch iron pipe at an angle point in the boundary line of said Little parcel; thence along boundary by the following courses:

South 78° 32' 45" East 259.14 feet to a 1/2 inch iron pipe on the Westerly right of way line of Public Road No. P15361 (NW Vineyard Drive); thence along said right of way South 10° 53' 05" West 30.00 feet to a point; thence North 78° 32' 45" West 277.18 feet to a point; thence South 42° 03' 19" West 157.14 feet to a 1/2 inch iron pipe; thence North 70° 22' 45" West 775.44 feet to the point of beginning.

PARCEL 2:

Beginning at a point on the West line of the Arnold Fuller Donation Land Claim No. 38 in Township 11 South, Range 5 West of the Willamette Meridian in Benton County, Oregon, 15.00 chains North of the most Northerly Northeast corner of the Oscar Clark Donation Land Claim No. 42 in the same Township; thence South 75° West 5.765 chains; thence South 52° West 2.50 chains; thence South 28° West 5.243 chains to the West line of the land described in Book 121, Page 377, Benton County Deed Records; thence Northerly along said West line and the West line of the land described in Book 42, Page 319, Benton County Deed Records, 53.30 chains, more or less, to the Northwest corner of said latter tract; thence Easterly 10.00 chains along the North line of said tract to the Northeast corner thereof; thence South 0° 09' West along the East lines of said tracts 45.30 chains to the point of beginning, all in Benton County, Oregon.

-continued-

RECEIVED

AUG 06 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Page 2/Exhibit "A"

PARCEL 3:

Lot 2, Block 1, MOUNTAIN VIEW ACRES, Benton County, Oregon.

STATE OF OREGON } ss. **129502**
County of Benton }

I hereby certify that the within
instrument was received for record

'91 OCT 4 AM 9 34

and assigned N^o 140142 1991

In the Microfilm records of said county

Witness My Hand and Seal of County Affixed

DANIEL G. BURK

DIRECTOR OF RECORDS & ELECTIONS

By *Marilee Penick*

DEPUTY

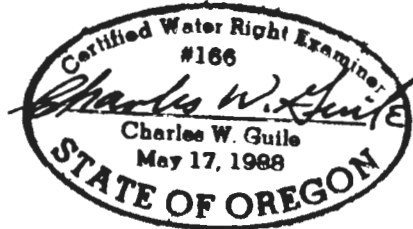
RECEIVED

SEP 18 1992

WATER RESOURCES DEPT.
SALEM, OREGON

T 11 S.R. 5 W.W.M.
SECTIONS 2 & 11
WATER RIGHT APPLICATION
MAP FOR
MCDONOUGH BROS. INVESTMENTS
CASCADE VIEW ESTATES
BEHTRON COUNTY, OREGON

CHARLES W. GUILLE
& ASSOCIATES, CO.
Land Surveying
52 Centennial Loop
Eugene, OR 97401



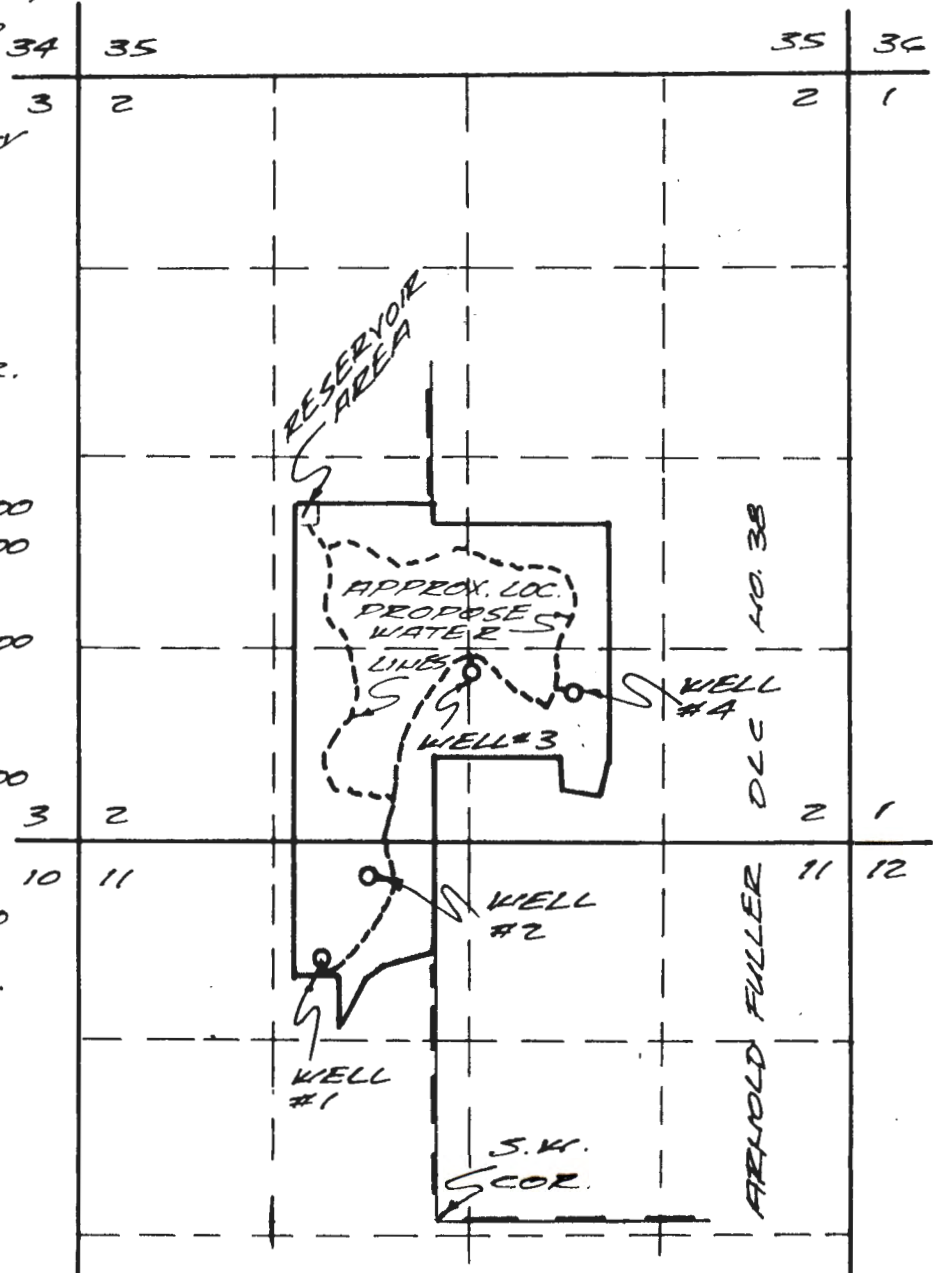
THIS MAP IS FOR WATER
RIGHT PURPOSES ONLY
AND IS NOT INTENDED
TO PROVIDE
DIMENSION FOR
LOCATING PROPERTY
BOUNDARIES

FROM THE S.W. COR.
OF THE FULLER
D.L.C. NO. 38

- 1) WELL #1 IS 1760.00
NORTH AND 790.00
WEST
- 2) WELL #2 IS 2300.00
FEET NORTH AND
460.00 WEST
- 3) WELL #3 IS 3670.00
NORTH AND 200
FEET EAST
- 4) WELL #4 IS 3540.0
FEET NORTH AND
940.00 FEET EAST



SCALE 1" = 1320'
JULY 31, 1992

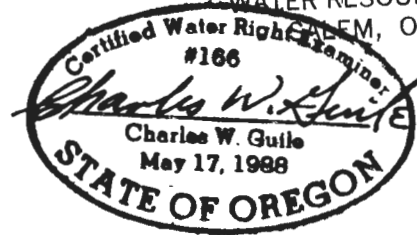


T 11 S. R. 5 W. W. M.
 SECTIONS 2 & 11
 WATER RIGHT APPLICATION
 MAP FOR
 MCDONOUGH BROS. INVESTMENT
 CASCADE VIEW ESTATES
 LINN COUNTY, OREGON

RECEIVED

AUG 06 1992

CHARLES W. GUILLE
 & ASSOCIATES, CO.
 Land Surveying
 52 Centennial Loop
 Eugene, OR 97401



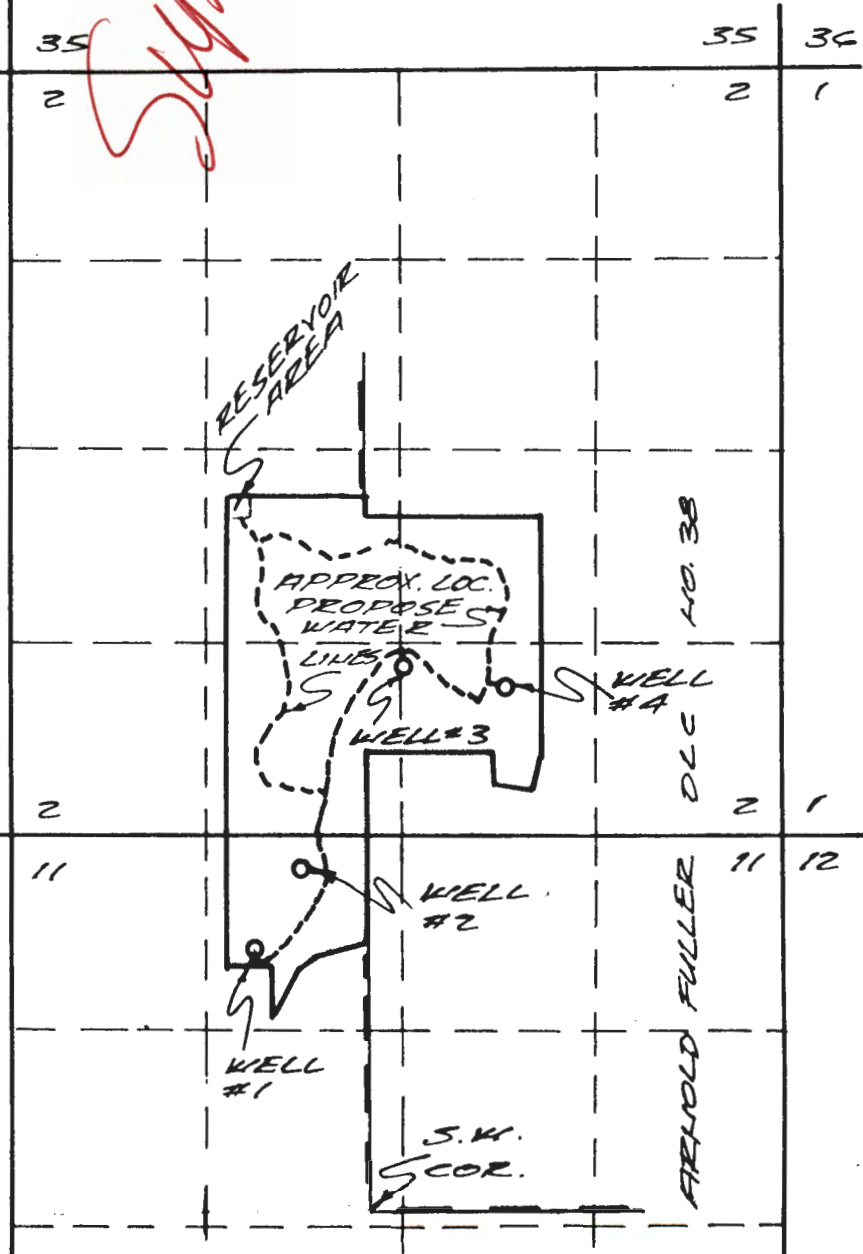
WATER RESOURCES DEPT.
 EFM, OREGON

THIS MAP IS FOR WATER
 RIGHT PURPOSES ONLY
 AND IS NOT INTENDED
 TO PROVIDE
 DIMENSION FOR
 LOCATING PROPERTY
 BOUNDARIES

Surveyed

FROM THE S.W. COR.
 OF THE FULLER
 D.L.C. NO. 38

- 1) WELL #1 IS 1760.00
 NORTH AND 790.00
 WEST
- 2) WELL #2 IS 2300.00
 FEET NORTH AND
 460.00 WEST
- 3) WELL #3 IS 3670.00
 NORTH AND 200
 FEET EAST
- 4) WELL #4 IS 3540.0
 FEET NORTH AND
 940.00 FEET EAST



SCALE 1" = 1320'
 JULY 31, 1992

CHARLES W. GUILLE & ASSOCIATES, Co.
LAND SURVEYING

52 CENTENNIAL LOOP
EUGENE, OREGON 97401
TELEPHONE 343-9855

RESIDENCE
ELMIRA, OREGON
TELEPHONE 935-2025

Oregon Water Resources Department
3850 Portland Rd. NE
Salem, OR 97310

September 16, 1992
92-47

RE: McDougal Brothers Investments
38437 Dexter Rd
Dexter, OR 97431

REFERENCE: G-13066

RECEIVED

SEP 18 1992

WATER RESOURCES DEPT.
SALEM, OREGON

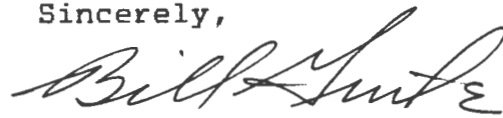
Dear Sir's:

Last week when I billed for this job, I noticed that my draftsman used Linn County in the title block in which I did not catch in proofing the tracing at the time.

Please replace the prints submitted with the application with these 4 prints showing that the application is in Benton County, Oregon.

If you have any questions, please give me a call. Thank you.

Sincerely,



Charles W. "Bill" Guile

August 10, 1992

MCDUGAL BROTHERS INVESTMENTS
38437 DEXTER RD
DEXTER, OR 97431

REFERENCE: File(s) G-13066

We received your application(s) proposing to use water, along with supporting data and fees. Your receipt is enclosed unless you received it earlier. The application has been assigned the above referenced file number and will be reviewed in detail as time allows. If you need to call or write to us, be sure to reference the file number(s) listed above so we may assist you promptly.

Applications which are received in proper form with required maps, supporting data and fees can be considered for approval by issuance of permits following a mandatory 60-day waiting period and after public interest matters are resolved.

Processing of applications which require additional information will be delayed further. If you feel that a delay in the processing of your application will cause a hardship, please advise in writing.

If the application is approved, the use allowed by the permit will be subject to the Water Resources Commission's Basin Program statements, instream flow requirements, and demands of prior rights.

If you have any questions, please contact the Water Right Section at the telephone number referenced below.

cc: CWRE



September 6, 1991

Rich Catlin
Benton County
Development Department
408 SW Monroe
Corvallis, OR 97333

WATER
RESOURCES
DEPARTMENT

RE: Community water supply for Cascade View Estates.

Dear Mr. Catlin:

With this letter I am following up our recent telephone and fax correspondence regarding the proposed water supply system for the 51-lot, rural, residential subdivision, to be called Cascade View Estates. Cascade View Estates is to be located about 5 miles north of Corvallis, Oregon, T11S R5W S2 - south 1/2.

At your request I've reviewed available information regarding the hydrogeology of the area, which consists of two groundwater reports: 1) Ground-Water Data In The Corvallis-Albany Area, Central Willamette Valley, Oregon; Oregon State Engineer, Ground Water Report No. 17; November 1972; F.J. Frank, and Nyra A. Johnson, and 2) Ground Water in the Corvallis-Albany Area, Central Willamette Valley, Oregon; Geological Survey Water-Supply Paper 2032; 1974; F.J. Frank. The observations made of the hydrogeology of the area are based on my brief review of these reports, and water well reports (well logs) from nearby wells.

The two main aquifers in the area are a basalt aquifer interbedded with siltstone and shale (the Siletz River Volcanics), and alluvium. Apparently a northeast - southwest trending geologic fault cuts across the area less than 1 mile east of the site. On the west side of the fault, the older rocks of the Siletz River Volcanics have been uplifted, while the younger alluvial materials have been down dropped on the east side of the fault.

In general, basalt wells drilled in T11S R5W range in depth from about 50 to 1000 feet below ground level (bgl). The wells yield fairly low volumes of water, producing anywhere from about 1 to 100 gallons per minute (gpm). Wells drilled in the proposed subdivision will likely be completed in the Siletz River Volcanics. They will probably yield only low to moderate quantities of water. Well logs indicate that while a few of the wells in the area have been deepened, they may not necessarily have encountered additional water.

Alluvial wells drilled in T11S R5W range from about 30 to 60 feet, and yield from 300 to 700 gpm. The alluvium is chiefly composed of sand and gravel materials, and is located several miles south and east of the site. It apparently will yield large quantities of water. Care should be taken when completing wells in either the alluvium or the basalt. Improperly located or improperly constructed well could encounter water quantity and/or water quality problems.

Groundwater supplies near the Cascade View Estates may not have the capacity to serve the proposed subdivision on a sustainable basis. Several wells in the area have been deepened, or abandoned, which may indicate that water supply problems, if not already present, may be



developing. These problems could eventually result in restrictive state regulations for the area, which could affect even the less significant and exempt groundwater withdrawals, including those that predate the restrictions. We prefer to avoid such measures through a preventive approach. Prevention is most directly accomplished through the local land use planning process.

We recommend that Benton County (County) take advantage of opportunities to prevent overuse and, consequently, possible restrictive state regulatory actions. We recommend that the County decision criteria include a demonstration that an adequate water supply is available and that interference with neighboring wells will not occur. We further recommend that, if land use approval is granted, conditions be imposed to monitor and evaluate long term availability and protect water resources and users from long term impacts. The County may wish to consider the following tools in processing these and other land use actions, as appropriate:

1. Require that wells be sited and constructed according to the recommendations of a licensed hydrogeologist, or others with well construction expertise. And require that proof be submitted that wells have been constructed according to the well construction standards of the Water Resources Department. These measures will help prevent well interference caused either by proximity of wells relying on the same aquifer, or by commingling of discrete aquifers serving neighboring wells.
2. Require that the proposed water supply wells be drilled and pump tested while monitoring the water level changes in neighboring wells (observation wells). This will generally demonstrate initial availability of water and detect short term problems. This will not, however, assure a long term sustainable water supply. The pump testing procedures, observation wells used, and performance standards will need to be determined, preferably by a licensed hydrogeologist or other with established groundwater expertise.

As a point of reference, some counties require the following: a) 3 -5 gpm per dwelling minimum production rate during a 12-hour pump test; b) minimum of 2 observation wells, if available; c) 75% maximum drawdown of the total water column of all test wells during the pumping phase; d) 80% minimum recovery of all test wells during the recovery phase (within 12 hours following pumping).

3. Require contingency plans (e.g., provisions for an alternate water supply) for the proposed development and adjacent properties. The capacity of groundwater supplies in the Corvallis-Albany area to serve this development on a sustainable basis is uncertain. Contingency plans should be developed in case the groundwater supply is not sustainable. In assessing long term impacts, the county should be aware of the state criteria for Critical Groundwater Area (CGWA) designations and should apply conditions to assure these thresholds are not reached.

As a point of reference, the state may apply a CGWA designation if groundwater decline is occurring at an average of 3 or more feet per year for at least 10 years.

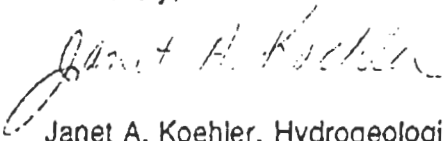
4. Prohibit drilling of individual wells where community systems are provided, to better control groundwater withdrawal and protect underlying aquifers.

5. Require water conservation measures, including water efficient plumbing and landscaping. Metering and reporting individual household water consumption is an effective way of controlling water use.
6. Require prospective buyers be informed of uncertain groundwater situations and the need for water conservation. Final plats should include appropriate warnings.

The following information is added to address your concerns regarding the design of the proposed water supply system and water rights. The Health Division, of the Department of Health and Human Resources, needs to be contacted regarding proposed design, construction and installation plans for the proposed public water supply for Cascade View Estates. The Health Division is charged with reviewing these plans. We appreciate your efforts to coordinate land use decisions with water management and look forward to working with you in the future. Please contact us with further questions (Ron Campbell, Land Use Coordinator, at 378-8455 ext. 241, or Jan Koehler, at 378-8455 ext. 214).

Water rights are needed to appropriate groundwater in Oregon in many instances. With respect to the proposed domestic used of ≈ 28 gpm for Cascade View Estates subdivision, it appears that a water right will be required. A water right is needed when: 1) more than 15,000 gallons per day (≈ 10.4 gpm) is used from a well for group domestic purposes, or 2) more than one-half acre of lawns or gardens is watered from a well. For more information on the details of filing a water right please contact Ms. Jackie Warner, of the Water Rights Information Group, at 378-3739.

Sincerely,



Janet A. Koehler, Hydrogeologist

cc: Ron Campbell, Water Resources Department
James Howland, Water Resources Commission
Tom Charbonneau, Health Division

RECEIVED

NOV 03 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Water Resources Department

In the last year and a half I have had to become active in protecting my investment of where I live. I've had to do this because the governmental bodies concerned with controlling developments and an aggressive developer would not or could not regulate the proposed development so not to exceed the resources of the area. It even appeared to myself and others that because they did not live in the area it was acceptable to over develop the area.

I hope and expect that by appealing the issuing of the water permit that a realistic approach can be developed that will not encroach upon the rights of the present residents.

My first experience with your department was satisfactory in that I was to be notified if anyone applied for a water permit in my area. In this particular case I had checked with your department on several occasions to insure that no one had applied and I was assured that no one had. In August of this year, Benton county staff had told me that the developer was in the process of applying so I again called your department and I was wrongly told no one had applied. I only found out in Oct. that a permit had been filed.

I now will go over the facts and water history of the area in question. In this area an extensive survey of the region had been conducted on the water resource. This study conducted by F.J. Frank had two wells tested. When the developer conducted his study he chose not to reevaluate these two wells. Only the developer knows why. It can be speculated that they did not want to find out that the area had already experienced a decrease in water level as will be mentioned below in the testimony of Dr. Istok and the no. of well failures in the area as your staff can verify.

The involvement of the state Water Resources Department came only after a considerable amount of pressure was applied to get an outside opinion to the question of whether there was adequate water in the area. The two technical reports on this area both stated that there could and probably would be water shortages in this area if it was over developed.

The letter to Rich Catlin, dated 9/6/91 from Janet A. Koehler states the concerns of area residents and I've enclosed a copy for your information. I thank her for expressing some of the questions that concern the residents of this area and this type of response should be encouraged.

In discussions with the county and in listening to the planning commission it certainly appears that no one is concerned about overuse of the resources of the area.

While I am only personally affected by this development the entire area from west of Corvallis to Adair has a limited supply of water. It appears that the county is going to ignore the problem until there

is a crisis in the area with very few solutions available for solving the problem.

Because the county and the state appeared to be biased in favor of the developer at the initial plan of the development and during the county hearings, the neighbors hired an independent hydrologist to review the developers report. The county did not heed the warning expressed in this report that the developers did not conduct a conservative study of the water reserves of the area. And it appeared that the state did not critically review the developers report or even consider Dr. Istok's report. Even the developer stated that if the area ever gets a sewer system then a water source outside of the area would probably be necessary.

I request that a review of the water permit application be made before a permit is issued. The permit application no. as given to us is G13066 and is located in T 11 S, R 5 W, section 11B. The applicants name is McDougal Brothers Investments and the development name is Cascade View Estates.

cc:

Martha Pagel, Director Water Resources Department
Reed Marbet, Manager Water Rights
James Howland, Area Commissioner

Dexter Leonard
P.O. Box 1093
Albany Or 97321
Ph. 745 7517

RECEIVED

NOV 03 1992

WATER RESOURCES DEPT.
SALEM, OREGON

3rd well Drilled
RECEIVED

Application No 6-13066

Permit No
WELL 4

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 637.703)

AUG 06 1992

BENT 302

(START CARD)

(1) OWNER: **WATER RESOURCES DEPT**
Name Marin MacDougal
Address _____
City _____ State _____ Zip _____

(9) LOCATION OF WELL by legal description:
County Benton Latitude _____ Longitude _____
Township _____ North Range _____ East W. W. _____
Section _____
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____ Vineyard Mt
_____ Levittsburg

(2) TYPE OF WORK:
 New Well Deepen Recondition Abandon

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Other _____

(10) STATIC WATER LEVEL:
15 ft below land surface Date 10/2/91
Artesian pressure 2 lb per square inch Date _____

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No
Depth of Completed Well 305 ft
Explosives used Yes No Type _____ Amount _____

(11) WATER BEARING ZONES:
Depth at which water was first found 65

From	To	Estimated Flow Rate
<u>65</u>	<u>305</u>	<u>2.5 gpm</u>

HOLE SEAL

Diameter	From	To	Material	From	To	Amount sacks or pounds
<u>20</u>	<u>0</u>	<u>39</u>	<u>Concrete</u>	<u>0</u>	<u>39</u>	<u>13 sacks</u>
<u>6</u>	<u>0</u>	<u>305</u>	<u>BENT</u>			

How was seal placed: Method A B C D E
 Other _____
How high placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(12) WELL LOG: Ground elevation _____

Material	From	To	
<u>Topsoil</u>	<u>0</u>	<u>1</u>	
<u>Brown Clay + Sandstone</u>	<u>1</u>	<u>20</u>	
<u>Sub. Reddish Red Brown Basalt</u>	<u>20</u>	<u>30</u>	
<u>Red Brown + Cinder</u>	<u>30</u>	<u>65</u>	
<u>Blue + Red Basalt</u>	<u>65</u>	<u>305</u>	<u>15</u>

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
<u>Casing: 6</u>	<u>1</u>	<u>39</u>	<u>260</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Liner: NONE</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of chest NONE

(7) PERFORATIONS/SCREENS:

Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Telepipe size	Casing	Liner
<u>NONE</u>							
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

Date started 10/24/91 Completed 10/22/91

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Boiler Air Flowing Artesian
Yield gal/min 25 Draw-down _____ Drill stem at _____ Time 1 hr
Temperature of water 56 Depth Artesian Flow Found X
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

Bent
805

CASCADE VIEW SUBDIVISION
WELL 1
NOV - 7 1991
115/5W-2
(START CARD) # 34991

(1) OWNER: Well Number 2395
Name Marvin McDougal
Address 30992 Echo Hill Terrace
City Lebanon State OR Zip 97355

(2) TYPE OF WORK:
 New Well Deepen Recondition Abandon

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable
 Other

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 405 ft.
Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	
10	0 29	Cement	0 29	8 sacks	
6	0 405	BORE			

How was seal placed: Method A B C D E
 Other

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: <u>6</u>	<u>1</u>	<u>29</u>	<u>250</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner: <u>NONE</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) NOTE

(7) PERFORATIONS/SCREENS:
 Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tube/pipe size	Casing	Liner
<u>NONE</u>							

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailor Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
<u>35</u>			<u>1 hr.</u>

Temperature of Water 56 Depth Artesian Flow Found X
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Benton Latitude _____ Longitude _____
Township 11 N or S Range 5 E or W
Section 2 NW ¼ SW ¼
Tax Lot _____ Loc _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) Vineyard Mountain Rd

(10) STATIC WATER LEVEL:
97 ft. below land surface **RECEIVED** 9/6/91
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES: **AUG 06 1992**

Depth at which water was first found _____

From	To	Estimated Flow Rate
<u>245</u>	<u>250</u>	<u>35 gpm</u>

WATER RESOURCES DEPT.
SALEM, OREGON

(12) WELL LOG: Ground elevation _____

Material	From	To
<u>Topsoil</u>	<u>0</u>	<u>4</u>
<u>Basalt Red & Blue</u>	<u>4</u>	<u>405</u>

Application No. 6-13066
Permit No. _____

Date started 11-1-91 Completed 11-4-91
(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Material used and information reported above are true to my best knowledge and belief.

WWC Number _____
Signed _____ Date _____

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This is true to the best of my knowledge and belief.

WWC Number 57
Signed Bob Stone Date 11/5/91

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

Bent
804

WELL 2

NOV - 7 1991

(START CARD) # 16/5W-2
37050

(1) OWNER: Well Number 2410
Name Marvin McDonald
Address 30992 Echo Hills Terrace
City Wagon State OR Zip 97355

(2) TYPE OF WORK:
 New Well Deepen Recondition Abandon

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable
 Other

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 405 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
10	0	25	Cement	0	25	7 Sacks
6	0	405	Bore			

How was seal placed: Method A B C D E
 Other

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: <u>6</u>	<u>1/2</u>	<u>25</u>	<u>250</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner: <u>NONE</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:
 Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tube/pipe size	Casing	Liner
<u>NONE</u>							

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Time
<u>30 gpm</u>		<u>405</u>	<u>1 hr.</u>

Temperature of Water 56° Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Benton Latitude _____ Longitude _____
Township 11 N or S, Range 5 E or W
Section 2 1/4 1/4
Tax Lot _____ Loc _____ Block _____ Subdivision _____
Street Address of Well (or nearest _____)

RECEIVED

(10) STATIC WATER LEVEL:
100 ft. below land surface Date 10/31/91
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
SALEM, OREGON
Depth at which water was first found 267

From	To	Estimated Flow Rate
<u>267</u>	<u>268</u>	<u>30 gpm</u>

(12) WELL LOG: Ground elevation _____

Material	From	To
<u>Topsoil</u>	<u>0</u>	<u>3</u>
<u>Brown Basalt</u>	<u>3</u>	<u>5</u>
<u>Basalt, Red & Blue</u>	<u>5</u>	<u>405</u>

Application No. 6-1306
Permit No. _____

Date started 10/29/91 Completed 10/30/91
(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. This used and information reported above are true to my best knowledge and belief.

Signed _____ Date _____
WWC Number _____

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This is true to the best of my knowledge and belief.

Signed Barry Lane WWC Number 5
Date 11/5/91

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

Bent
774

SEP 29 1992

WELL 3

(START CARD) #

115/SW-2
24992

(1) OWNER: Marvin McDougal Well Number: 2394
Name Marvin McDougal
Address 30922 Echo Hills Terrace
City Lebanon State OR Zip 97355

(2) TYPE OF WORK:
 New Well Deepen Recundition Abandon

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable
 Other

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 490 ft.
Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Amount sacks or pounds
Diameter	From To	Material	From To	
	10	2 1/2 Cement	0	2 1/2 sacks
	6	Bore		

How was seal placed: Method A B C D E
 Other _____
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: <u>1 1/2</u>	<u>1 1/2</u>	<u>2 1/2</u>	<u>250</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner: <u>none</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of sheets: _____

(7) PERFORATIONS/SCREENS:

Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Telepipe size	Casing	Liner
<u>none</u>							

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
Yield gal/min 12 gpm Drawdown _____ Drill stem at _____ Time 1 hr.

Temperature of water 51° Depth Artesian Flow Found X
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Benton Latitude _____ Longitude _____
Township 11 N or S Range 5 E or W
Section 2 NW 1/4 SW 1/4
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) off Vineyard
Corvallis

(10) STATIC WATER LEVEL:
92.50 ft. below land surface Date AUG 06 1992
Artesian pressure X lb. per square inch. Date 9/7

(11) WATER BEARING ZONES:
SALEM, OREGON

Depth at which water was first found 250

From	To	Estimated Flow Rate
<u>250</u>	<u>260</u>	<u>12 gpm</u>

(12) WELL LOG: Ground elevation _____

Material	From	To
<u>Topsoil</u>	<u>0</u>	<u>1</u>
<u>Brown Clay + Boulders</u>	<u>1</u>	<u>9</u>
<u>Red + Blue Basalt</u>	<u>9</u>	<u>700</u>
<u>Cement plug at 490' (3 sacks)</u>		

Application No. G-13066
Permit No. _____

Date started 9/13/91 Completed 9/15/91

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alter abandonment of this well is in compliance with Oregon well cons standards. Materials used and information reported above are true to knowledge and belief.
Signed _____ WWC Number _____ Date _____

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abanc work performed on this well during the construction dates reported: a work performed during this time is in compliance with Oreg construction standards. This report is true to the best of my knowie belief.
Signed Bert D. Stone WWC Number 5 Date _____

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**TECHNICAL REVIEW OF "REPORT OF THE HYDROLOGIC
EVALUATION OF THE GROUND WATER RESOURCE AT THE
CASCADE VIEW SUBDIVISION CORVALLIS OREGON"**

by Dr. Jonathan D. Istok, Ph.D.

Background

McDougal Brothers Investments seeks to develop Cascade View Estates (CVE) on the eastern slope of Vineyard Mountain. CVE will consist of 43 residences served by a central water system. Groundwater is the sole water source for existing residences and for the proposed additional residences within CVE. Thus it is necessary to determine 1) if sufficient groundwater is available to meet the needs of existing and proposed residences 2) the probable impact of groundwater pumping within CVE on water levels in neighboring water wells, and 3) if on site sewage disposal within CVE poses a threat to groundwater quality.

Purpose

Two of the concerns listed above were addressed in an engineering study conducted for McDougal Brothers Investments by Fetrow Engineering Inc (FEI). The results of this study are contained in the document "Report of the hydrologic evaluation of the ground water resource at the Cascade View Subdivision Corvallis, Oregon" (FEI, 1992). A technical review of this document was conducted under a Scope of Work Agreement between Dr. Istok, the Vineyard Mountain Water Board, and other Concerned Citizens. Additional calculations were performed to determine the potential impact of on-site sewage disposal at CVE on groundwater quality.

Summary of Findings

The review identified several areas of potential concern. The principal findings are:

1. There may be insufficient groundwater to support existing residences and the additional residences proposed for Cascade View Estates (CVE). Water balance calculations in FEI (1992) failed to include natural groundwater discharge and thus overestimate the supply of available groundwater. A conservative estimate of the minimum available water was obtained by adding the smallest value for recharge, and the largest values for withdrawal and discharge. This estimate (-13 MGY) suggests that groundwater reserves are being depleted by existing water users; additional residences within CVE will accelerate this process. An optimistic estimate of the maximum available water (+ 29 MGY) was obtained by adding the largest value for recharge and the smallest values for withdrawal and discharge.

Although this suggests that there is sufficient water for current water users and the additional residences proposed for CVE, its use is not recommended. **The estimates presented here reflect the true uncertainty in groundwater conditions at the site. Greater accuracy is not possible given the available information.**

2. The impacts of well no. 4 in CVE on water levels on existing water wells were predicted by FEI using an inappropriate analytical model. The use of this particular model requires that aquifer properties be uniform throughout the entire Vineyard Mountain area, a condition that is consistent with data contained in the FEI report. For example, the transmissivity for two wells (no.1 and no.4) are 61 and 960 gpd/ft, while the analysis assumes that a single constant value applies to the entire site. Also, the value of transmissivity used in the analytical model was the highest measured value (for well No. 4 on CVE). Because transmissivity at many locations is less than this value, the model results underestimate the impact of well pumping in CVE on water levels in surrounding wells.

3. The potential impact of on-site sewage disposal in CVE on groundwater quality was not addressed in the FEI study. It is estimated that the additional 43 residences in CVE will add an additional 3 to 11 lbs of nitrogen to the groundwater each year. However, the effect of on-site sewage disposal in CVE on the concentration of nitrogen in groundwater could not be adequately addressed within the scope of this review.

Recommendations

The overall availability of groundwater at Vineyard Mountain is difficult to assess because of the complexity of the geology and because of unavoidable uncertainties in several terms used in the water balance calculations. The conservative approach used in this study suggests that the combined water use by existing and proposed residences have the potential to deplete the groundwater resource. A conservative approach is warranted in this case because of the high costs of providing Corvallis city water to Vineyard Mountain residents, if groundwater reserves are depleted. Also, the potential negative impacts of increased housing density on groundwater quality have not been adequately addressed. It is recommended that:

1. Construction of new housing on Vineyard Mountain should be subjected to strict review. It is very important that additional housing be built in stages to allow time for early detection of potential groundwater supply or quality problems. Water conservation measures should be encouraged for all residents and water use limitations may be desirable in areas of new housing.
2. Water levels and pumping rates should be measured routinely in selected wells in areas of high housing density. If carefully collected, these data can be used for early detection of groundwater overdraft.
3. Groundwater samples should also be collected from selected wells and routinely analyzed for nitrate and coliform bacteria to provide "early warning" of potential water quality problems.

Analysis 1: Water Balance Calculations

The water balance calculations in FEI (1992) were performed to determine the adequacy of available groundwater supplies. The approach was to estimate the amount of water entering and leaving the groundwater aquifer for two recharge zones. The map of the inner zone (500 acres) is shown in Figure 1. To understand the water balance calculations it is useful to view Vineyard Mountain in cross-section (Figure 2). The cross-section shows the topography, the boundary of the inner recharge zone, and the location of Cascade View Estates. The water balance calculations reported by FEI (1992) were based on the portion of Vineyard Mountain within the dashed lines. The location and depth of well number 4 is also shown. The sloping lines show the orientation of the underlying rock layers of the aquifer. This interpretation is consistent with other geologic investigations in the area (e.g., Schroeder and Swanston, 1975).

To perform the water balance calculations, the amount of water entering and leaving the aquifer are estimated. A cut away version of the portion of Vineyard Mountain within the dashed lines is shown in Figure 3. Recharge is the amount of water entering the area from infiltrating rainfall (shown as downward arrows); withdrawal is the amount of water removed by wells (upward arrows) and discharge is the amount of water leaving the area by natural groundwater flow (downward sloping arrows). The water balance equation is very simple: $\text{Available water} = \text{Recharge} - \text{Withdrawal} - \text{Discharge}$. If sufficient water is present for all existing and proposed residents, the computed available water will be positive. If insufficient water is present, the computed available water will be negative. **The discharge term was not included in the calculations presented in the FEI study, leading to overestimates of the available water at Vineyard Mountain.** An independent evaluation of each term in the water balance equation is presented in the following sections. The results of these calculations are summarized in Figure 3.

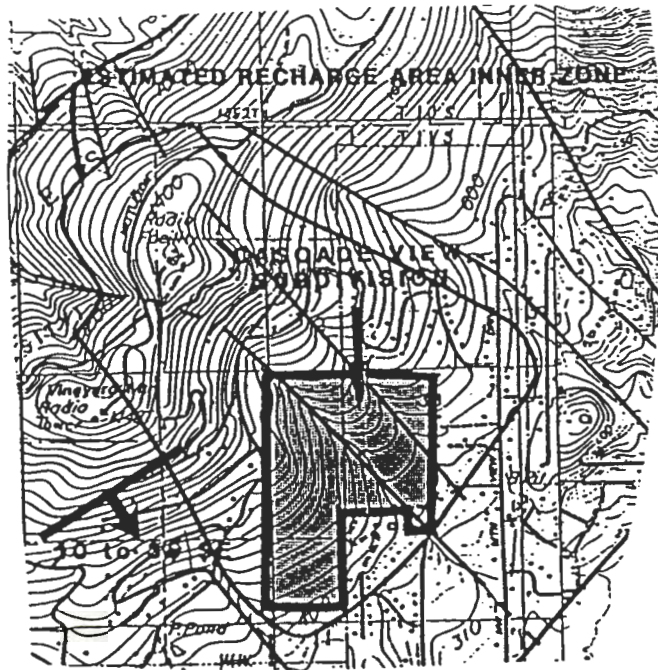


Figure 1. Estimated recharge area - inner zone from Figure 22, FEI (1992)

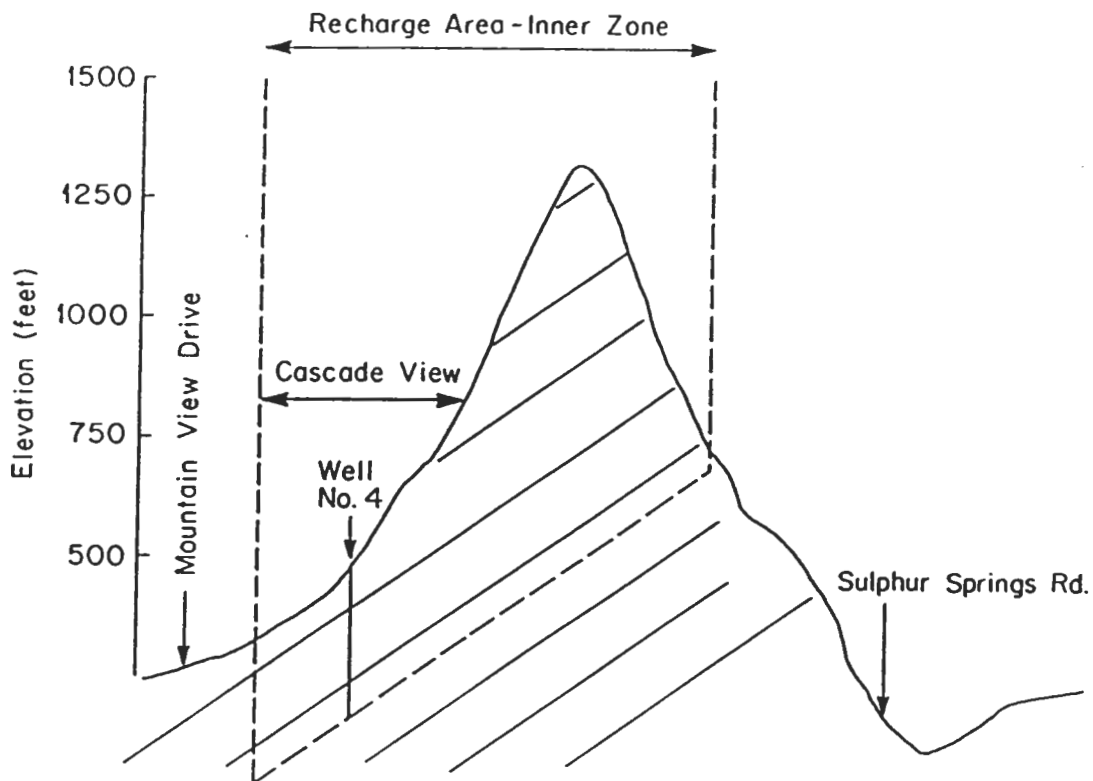
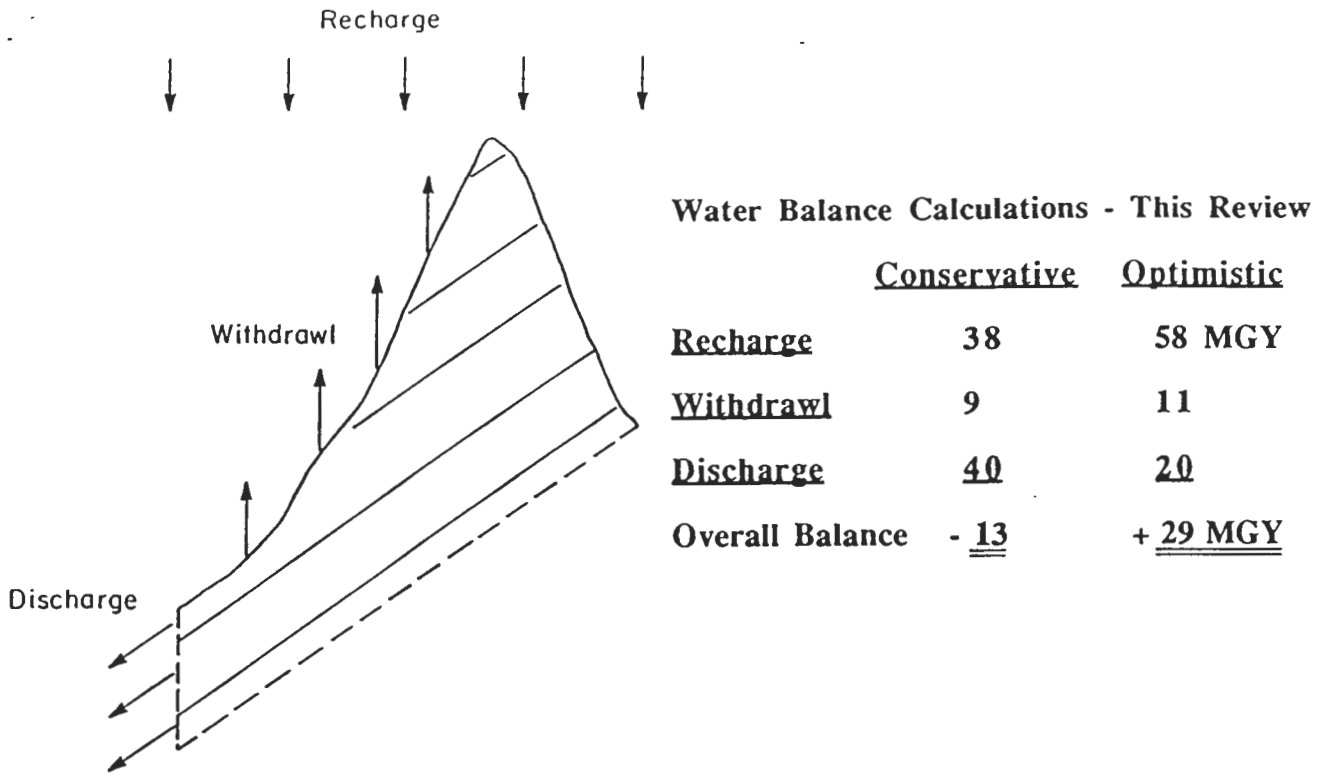


Figure 2. Cross-section through estimated recharge area-inner zone.



Available water = Recharge - Withdrawal - Discharge

Figure 3. Summary of water balance calculations for recharge area-inner zone.

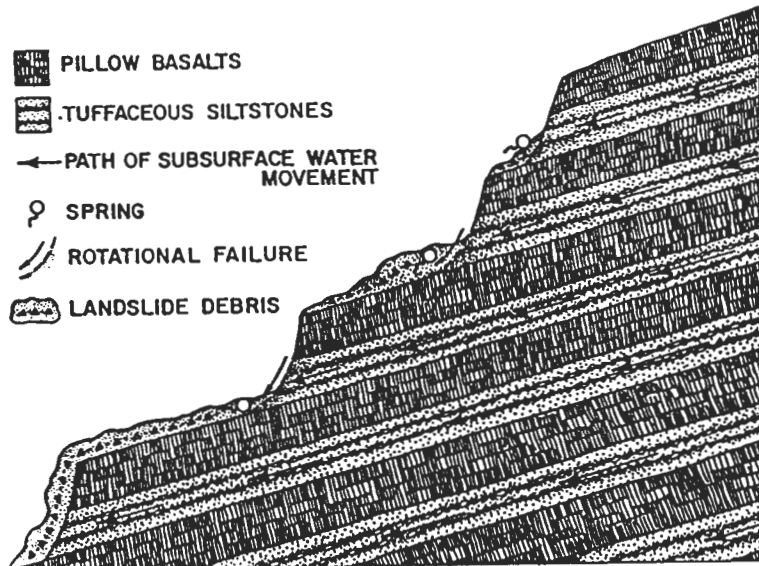


Figure 4. Idealized cross-section through eastern slope of Vineyard Mountain showing geologic structure and direction of groundwater flow (from Schroeder and Swanston, 1975).

Discharge

The final term in the water balance equation is the naturally occurring groundwater discharge (Figure 3). Groundwater in the aquifer beneath Vineyard Mountain is not static. Groundwater is constantly flowing down slope, under the influence of gravity. Above elevations of 900 ft, groundwater flow occurs primarily in the tuffaceous siltstones (Figure 4). Below 900 feet, groundwater flow occurs in the fractured pillow basalts. Although the majority of flow occurs below the surface, groundwater frequently surfaces as springs and small perennial streams.

Groundwater discharge can be computed from measured values of transmissivity and water table slope using Darcy's Law. Computed values range from 20 to 40 MGY, based on a 5000 ft wide discharge zone, a hydraulic gradient of 0.05 and transmissivities of 200 to 400 gpd/ft (Figure 3). Although larger values of transmissivity have been reported for individual wells, this range of values was selected to bracket the likely "average value" for the 5000 ft wide discharge zone.

Available Water

Figure 3 shows a summary of these calculations. A conservative estimate of the minimum available water is obtained by adding the smallest value for recharge, and the largest values for withdrawal and discharge: minimum available water = 38 - 11 - 40 = -13 MGY. This minimum value suggests that groundwater reserves are being depleted by current water users; the additional residences will accelerate this process. The maximum available water is obtained by adding the largest value for recharge and the smallest values for withdrawal and discharge: maximum available water = 58 - 9 - 20 = 29 MGY. This result suggests that there is sufficient water for current water users and the additional residences proposed for CVE.

The estimates presented here reflect the true uncertainty in groundwater conditions at the site. The only way to reduce these

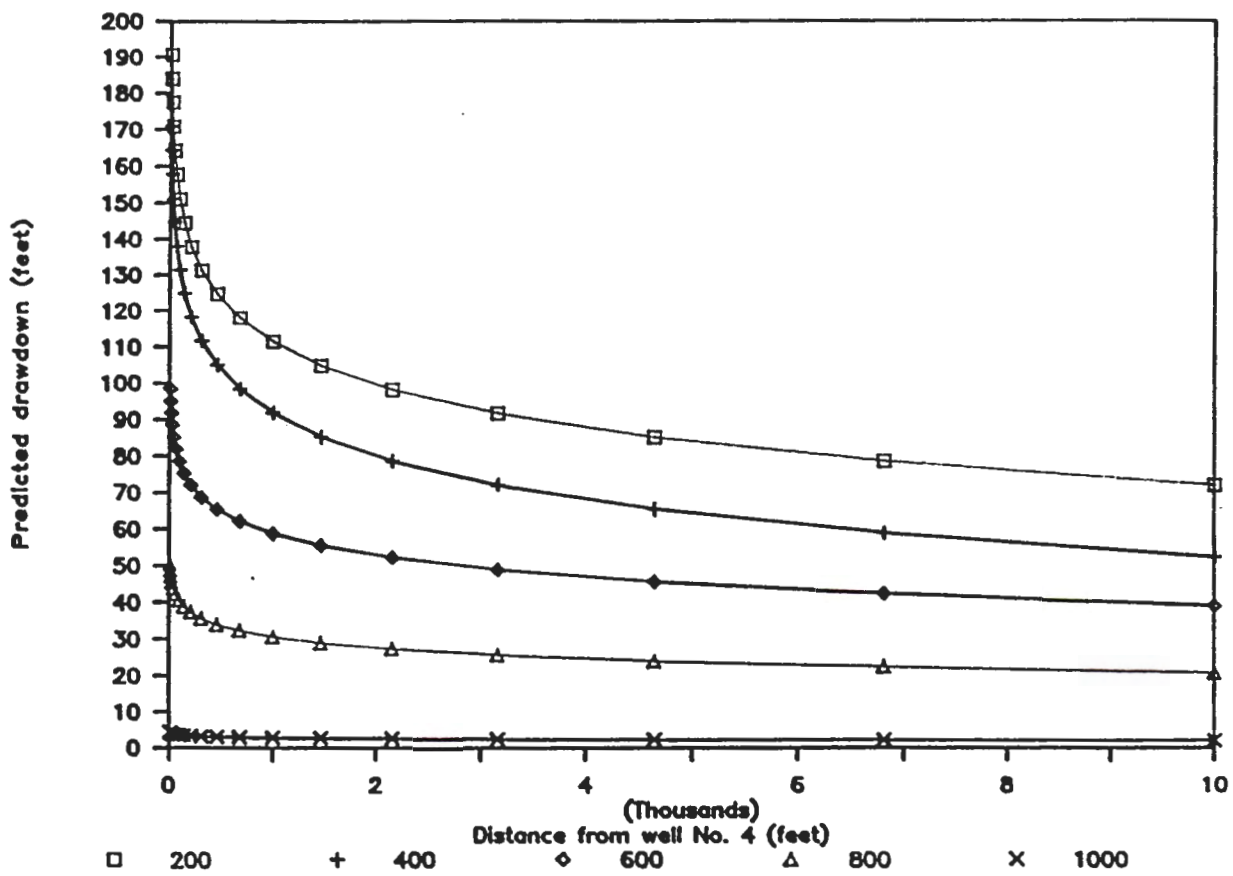


Figure 5. Predicted drawdown on surrounding wells due to pumping at well no. 4 as a function of aquifer transmissivity (pumping rate = 15 gpm; time since pumping began = 1 year).

uncertainties is to undertake additional investigations to improve estimates for groundwater recharge and discharge.

Analysis 2: Impact of Well No. 4 on Surrounding Wells

Another potential area of concern is the impact of long-term pumping at well no. 4 on CVE on water levels in surrounding wells. FEI predicted these impacts using simulations with an analytical model. The results of these simulations are meaningless however, because the particular model used requires that aquifer transmissivity be constant across the site. The FEI study assumed a constant value of transmissivity of 960 gpd/ft, the value computed for well no. 4. However, smaller values have been reported for wells within CVE and for existing residences in the inner recharge zone. For example, the value of transmissivity for well No. 1 is reported as 61 gpd/ft. The use of the largest available value for transmissivity gives the smallest predicted impact on surrounding wells. The differences can be quite large (Figure 5). Notice in Figure 5 that the lowest curve corresponds to large values of transmissivity (1000 gpd/ft, close to well no. 4) and the highest curve corresponds to small values of transmissivity (200 gpd/ft). The predictions are for one year of continuous pumping. It is clear that drawdown predictions obtained using the transmissivity for well no. 4 greatly underestimate the impact of pumping at well no. 4 on water levels in surrounding wells.

Analysis 3: Water Quality Concerns

The potential effect of the additional residences on groundwater quality at Vineyard Mountain was not addressed in the FEI study. In the water balance calculations it is assumed that between 250 and 400 gpd per residence of domestic wastewater are returned to the aquifer. Domestic wastewater typically contains between 20 and 85 mg/L of nitrogen (Metcalf and Eddy, 1972). This nitrogen will enter the groundwater aquifer. The total amount is 5 to 22 lbs/year for the 84 existing residences and an additional 3 to 11 lbs/year for the 43 residences in CVE. This increase in nitrogen loading has potential for increasing

nitrate concentrations in the groundwater at Vineyard Mountain. However, the effect of on-site sewage disposal in CVE on the concentration of nitrogen in groundwater could not be adequately addressed within the scope of this review.

References

Dawson, K.J. and J.D. Istok. 1991. *Aquifer testing: A manual for the design and analysis of pumping and slug tests.* Lewis Publishers Inc. Chelsea, Michigan.

Fetrow Engineering Inc., 1992. *Report of the hydrologic evaluation of the ground water resource at the Cascade View Subdivision Corvallis, Oregon. and Appendices.*

Metcalf and Eddy, Inc. 1972. *Wastewater engineering: treatment disposal reuse.*

Schroeder, W.L. and D.N. Swanston, 1975. *Landslide hazard study: Vineyard Mountain Subdivision Corvallis, Oregon.*

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WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 6-13066
Permit No.

APPENDIX E

CALCULATIONS OF AQUIFER TRANSMISSIVITY AND
HYDRAULIC CONDUCTIVITY IN
WELLS 1 AND 4

Application No. G-13066
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WELL 1

The calculation of aquifer transmissivity in Well 1 is made using the Modified Non-Equilibrium equation (pp. 221). According the water levels measured during the pump test were plotted vs elapsed time (minutes) since pumping began were plotted on semi-log graph paper. Lines were drawn on the graph representing the maximum, minimum, and average slope of the most stable segment of the time-down curve between 200 and 2500 minutes after pumping began. The delta-S values representing the change in water level per log cycle (time) as shown. The range and average values of transmissivity were then calculated using the modified non-equilibrium well equation as shown below :

$$Q = 20 \text{ GPM}$$

$$T = \frac{264 Q}{\Delta s}$$

where

T = coefficient of transmissivity, in
gpd/ft

Q = pumping rate, in gpm

Δs = (read "delta s") slope of the time-
drawdown graph expressed as the
change in drawdown between any
two times on the log scale whose
ratio is 10 (one log cycle)

$$T_{AVE} = \frac{(264)(20)}{87} = 61 \text{ GPD/ft}$$

$$T_{MAX} = \frac{(264)(20)}{61} = 87 \text{ GPD/ft}$$

$$T_{MIN} = \frac{(264)(20)}{100} = 53 \text{ GPD/ft}$$

$$\Delta s_{AVE} = 87 \text{ ft}$$

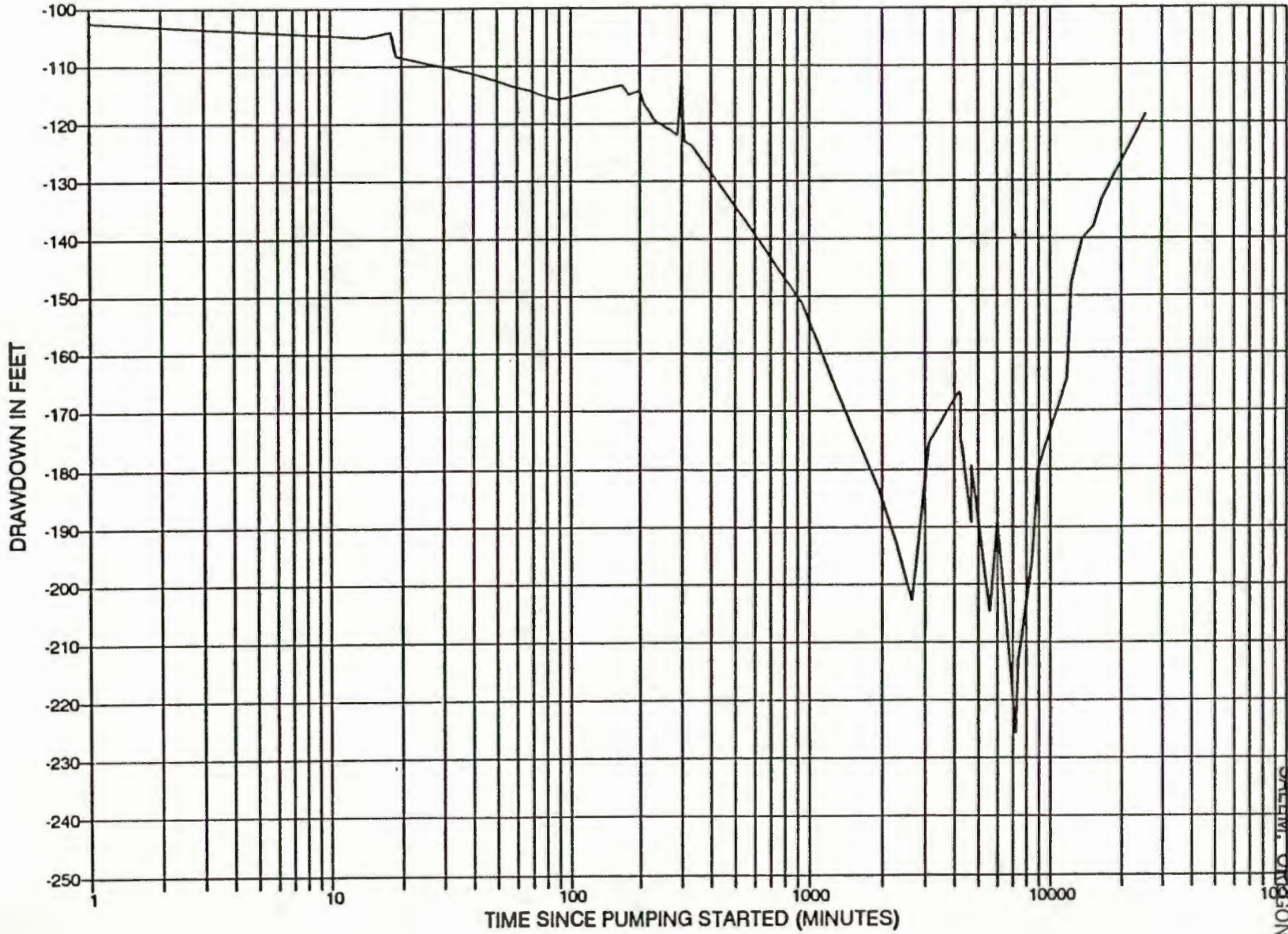
$$\Delta s_{MAX} = 100'$$

$$\Delta s_{MIN} = 61'$$

T_{AVE} of 61 GPD/ft agrees
well with
TRANSMISSIVITY value of 57 GPD/ft
CALCULATED FROM 72 HOUR
Pump test in November
(See Appendix A)

Hydrologic Calculations
Work Sheet

WELL 1 - 120 HOUR PUMP TEST
CASCADE VIEW SUBDIVISION-1991 PUMP TEST



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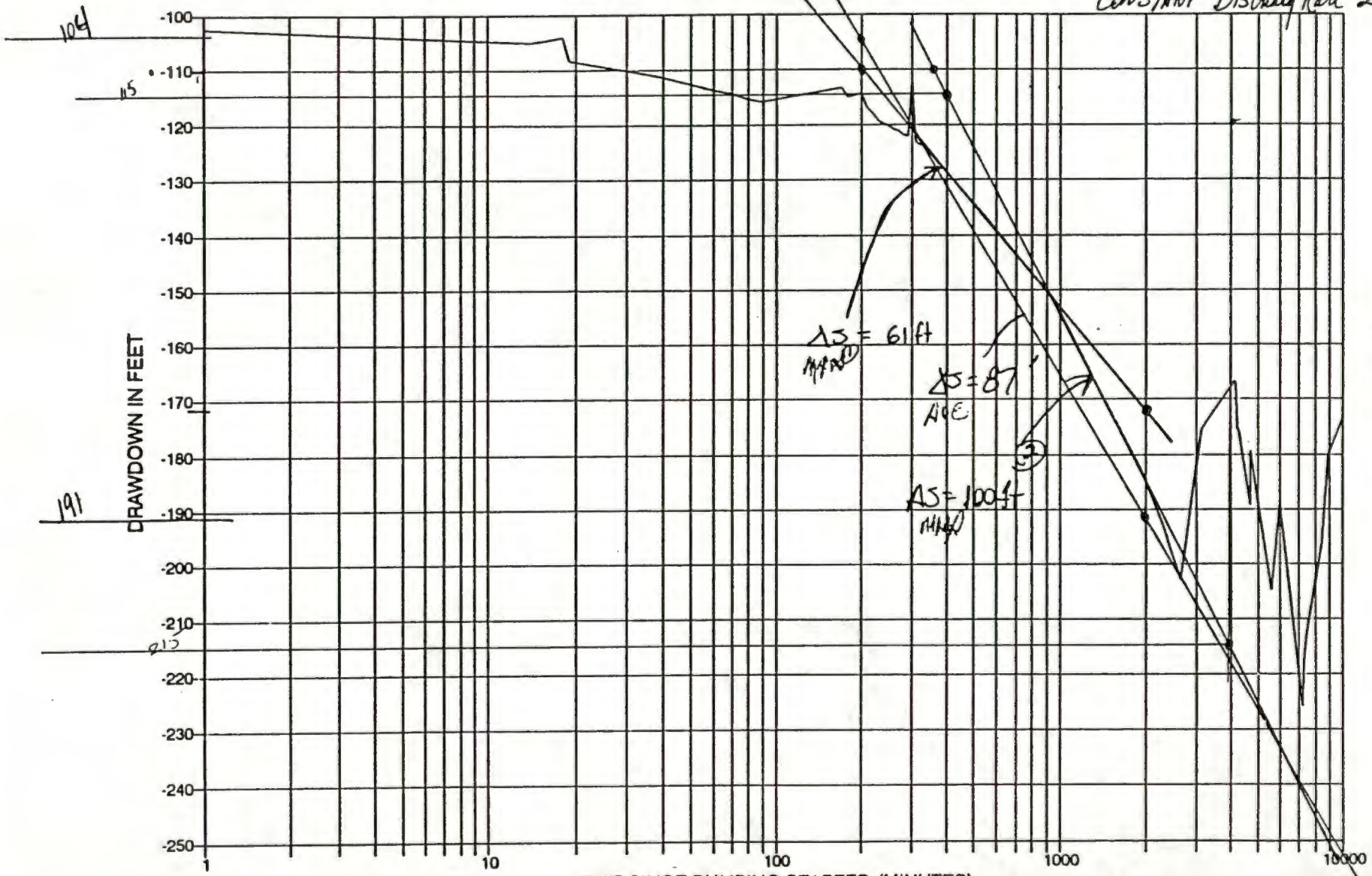
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WELL 1 - 120 HOUR PUMP TEST
 CASCADE VIEW SUBDIVISION-1991 PUMP TEST

CONSTANT DISCHARGE RATE 20 gpm



*Maybe higher due to
 discharge*

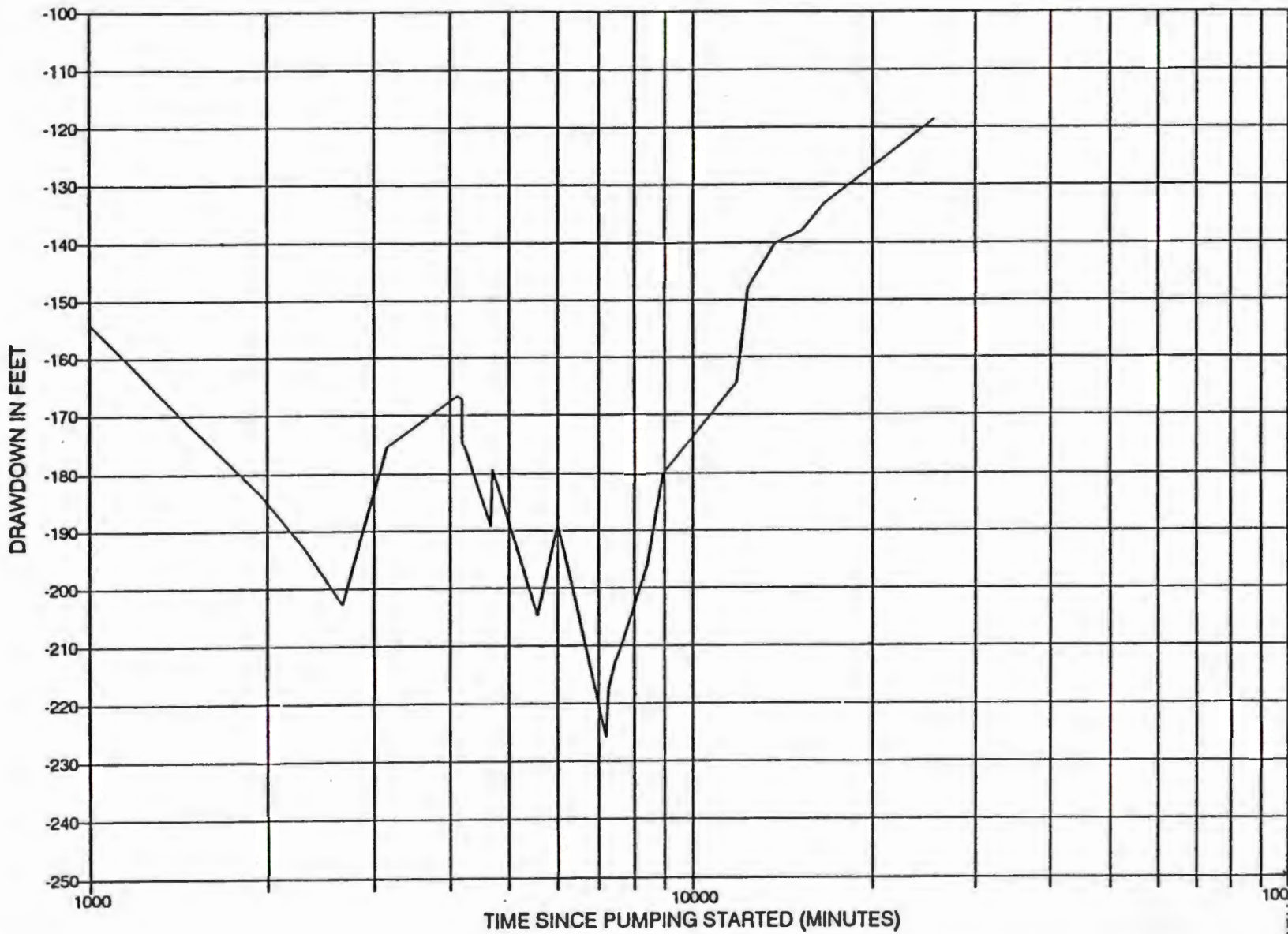
$$T_1 = \frac{264(20)}{61} = 86.6 = T_{MAX} = 87 \text{ GPD/ft}$$

$$T_2 = \frac{264(20)}{100} = 52.8 = T_{MIN} = 53 \text{ GPD/ft}$$

$$T_{Ave} = \frac{264(20)}{87} = 60.8 \text{ or } \boxed{61 \text{ GPD/ft.}}$$

* which requires only well w
 discharge 53 GPD/ft

WELL 1 - 120 HOUR PUMP TEST
CASCADE VIEW SUBDIVISION-1991 PUMP TEST



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WELL 4

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The calculation of aquifer transmissivity in Well 4 is made using the Modified Non-Equilibrium equation (pp. 221). The delta-S value was determined first by plotting the residual drawdown curve (recovery) on a semi-log scale showing a time-recovery plot. The initial drawdown curve from the pump test was not used because the pump discharge rate was not held constant initially.

The time (minutes) since pumping stopped was plotted on semi-log graph paper. Lines were drawn on the graph representing the average slope of the most stable segment of the time-down curve between 10 and 1000 minutes after pumping stopped. The delta-S values representing the change in water level per log cycle (time) as shown on the attached work sheet. The calculated value of transmissivity was determined using the modified non-equilibrium well equation as before :

$$Q = 20 \text{ gpm}$$

$$\Delta(S - S') = 2.5 \text{ ft}$$

$$T = \frac{(264)(20)}{2.5} = 960 \text{ GPD/ft}$$

FROM RESIDUAL DRAWDOWN GRAPH.
 \therefore The HYDRAULIC CONDUCTIVITY of the aquifer
is 305-65 or 240 feet

$$\therefore \frac{960}{240} = \underline{\underline{4}} \text{ GPD/ft}^2$$

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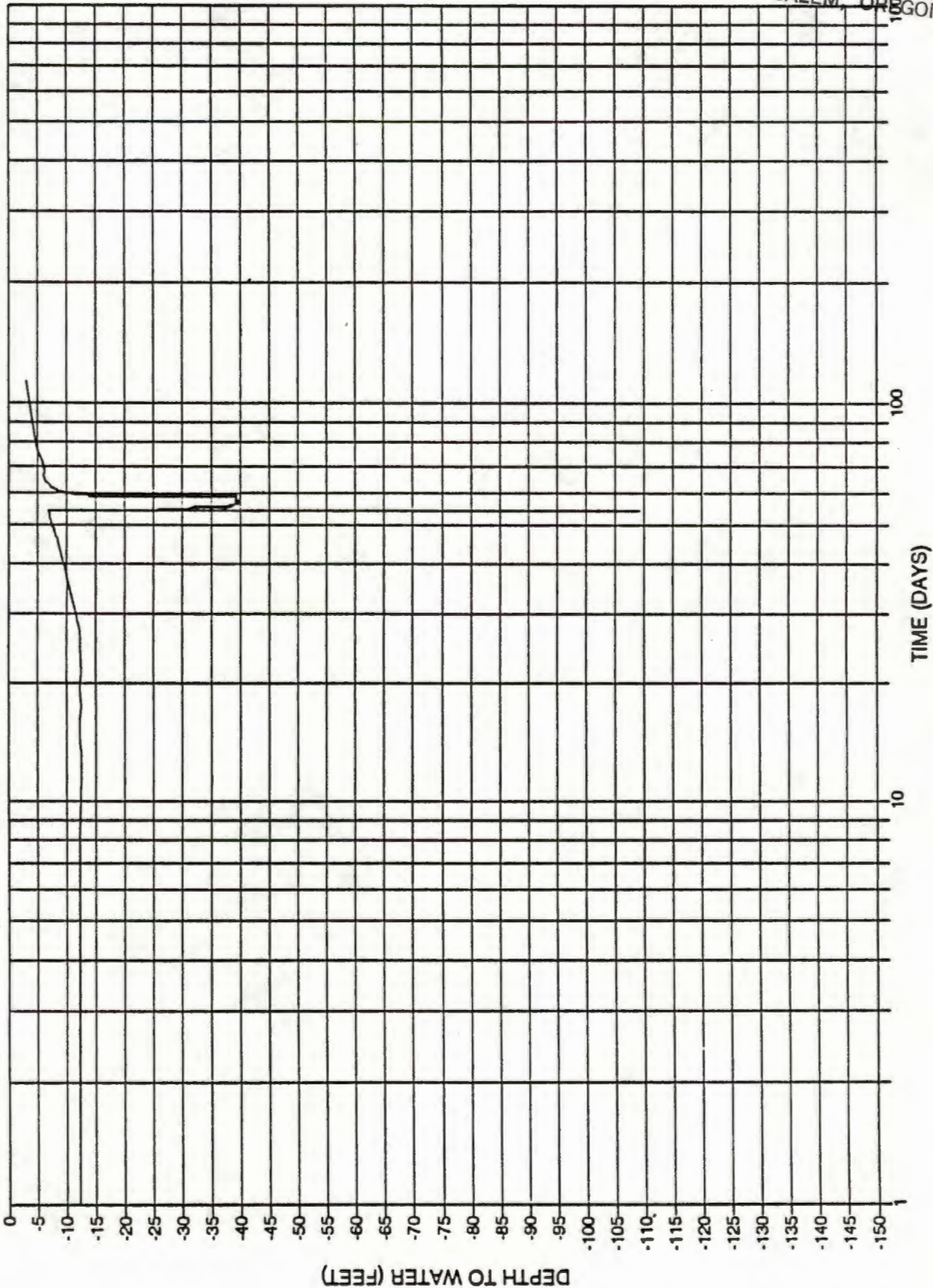
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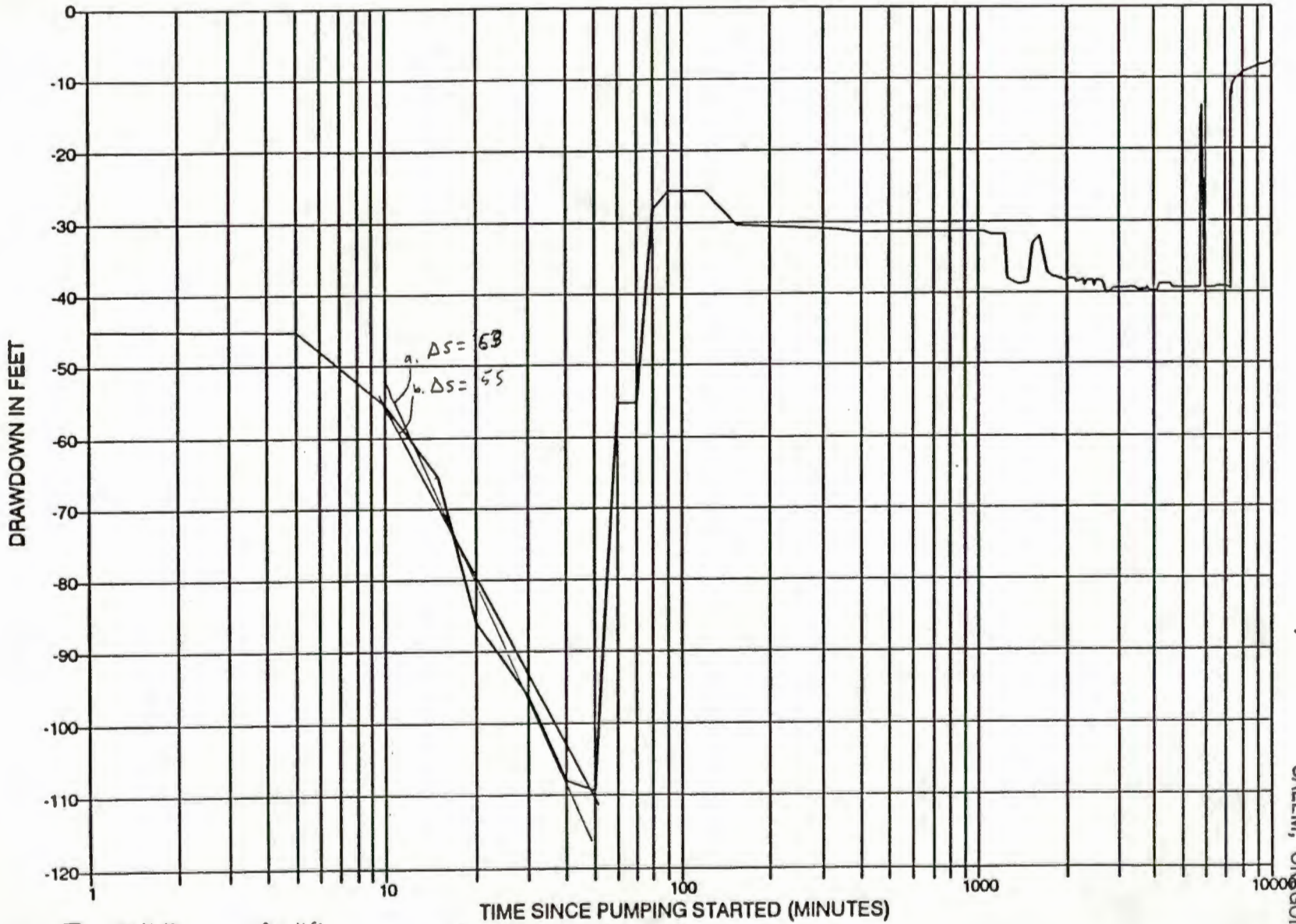
Wells (heads)

*Hydrology
Cales*

WELL 4 - HISTORIC WATER LEVELS
SEMI-LOG PLOT TIME VS DTW



WELL 4 - 120 HOUR PUMP TEST
 CASCADE VIEW SUBDIVISION-1991 PUMP TEST



$T = \frac{264 Q}{\Delta S}$

Q = 48
 a. 201
 b. 230

D = 60 D = 37.5
 a. = 251 a. = 157
 b. = 228 b. = 180

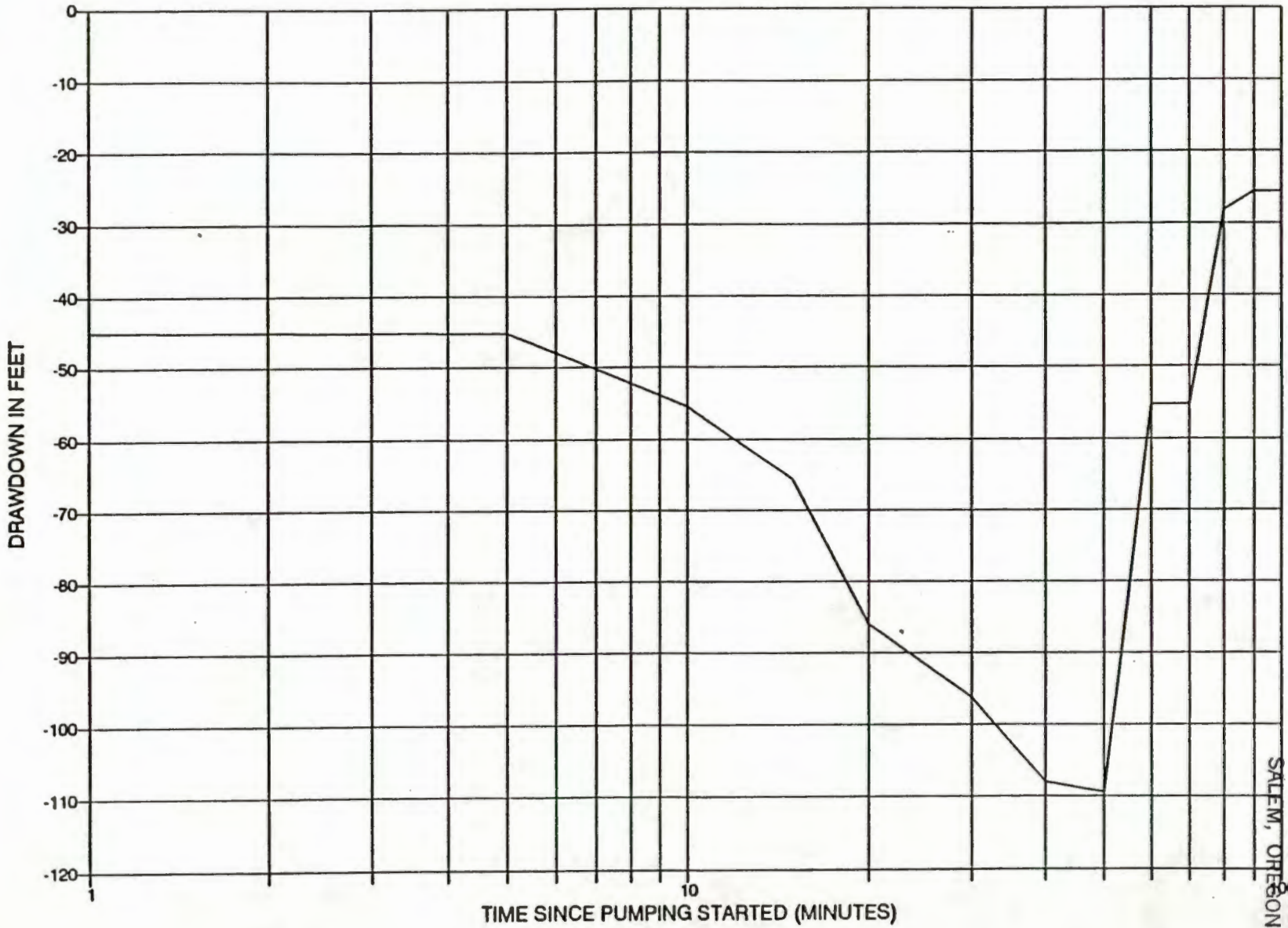
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WELL 4 - 1st HUNDRED MINUTES
CASCADE VIEW SUBDIVISION-1991 PUMP TEST



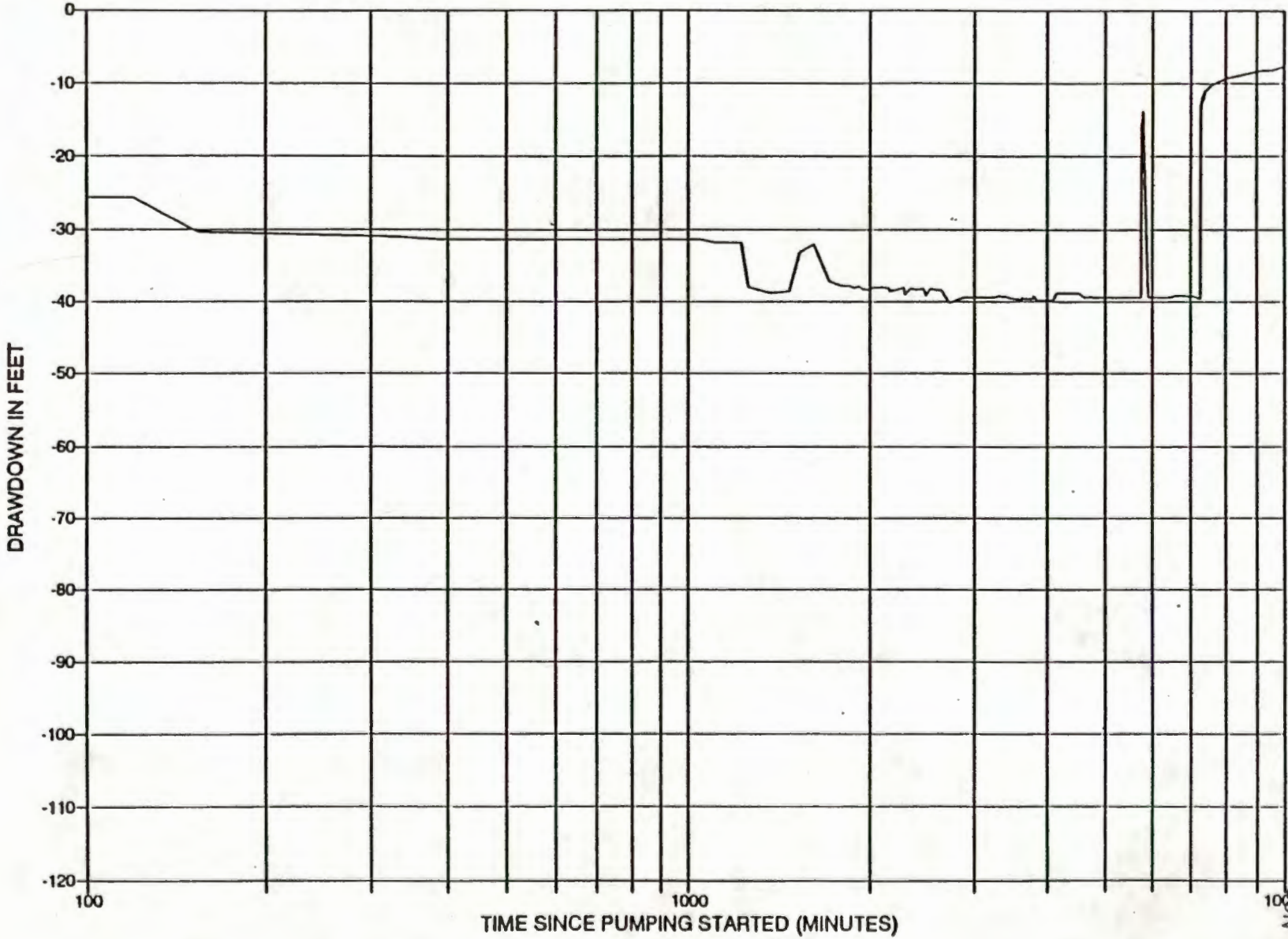
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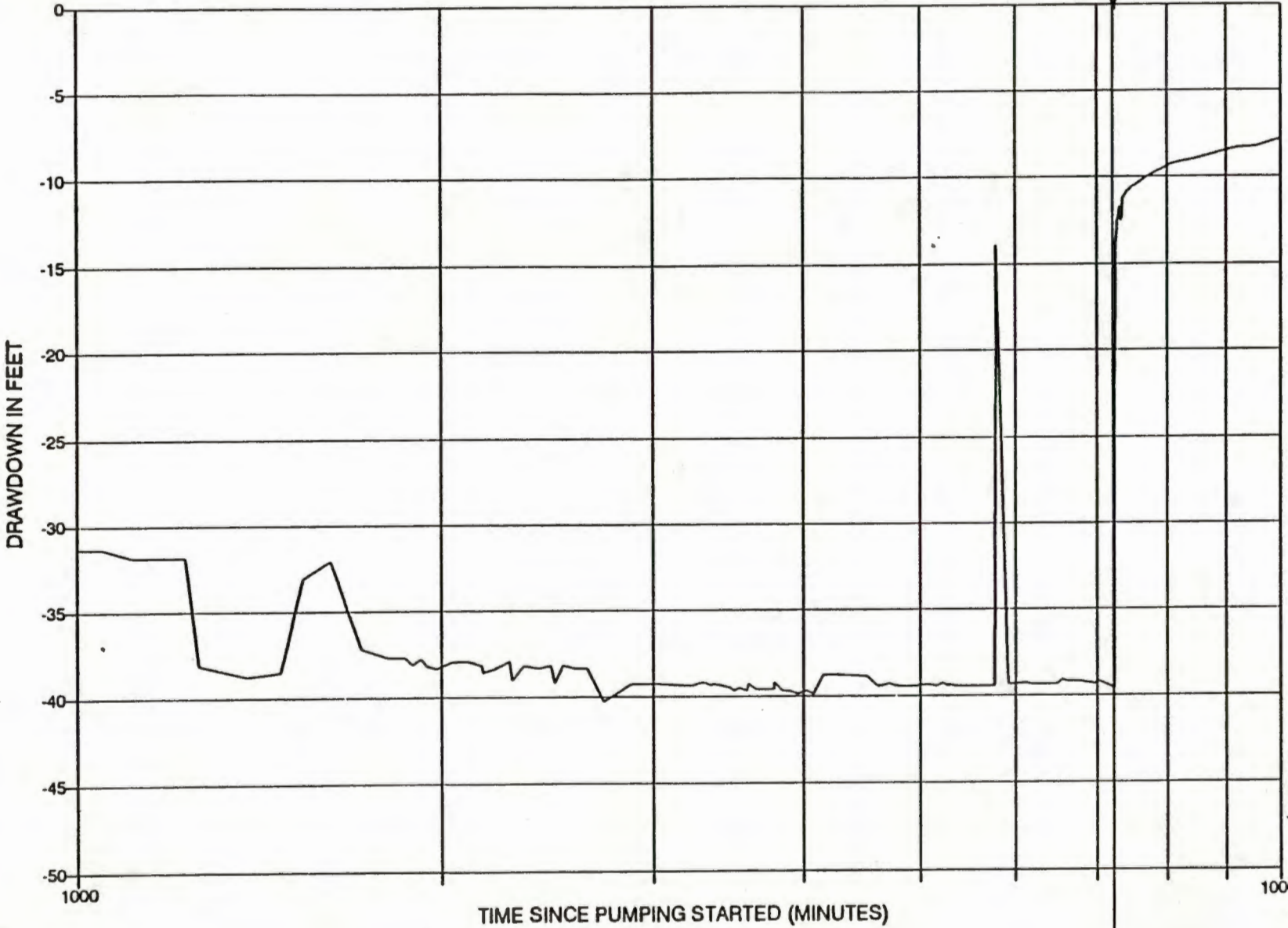
WELL 4 - ONE HUNDRED TO 10,000 MINUTES
CASCADE VIEW SUBDIVISION-1991 PUMP TEST



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WELL 4 - 1000 TO 10,000 MINUTES
CASCADE VIEW SUBDIVISION-1991 PUMP TEST



Residual Draw-Down (RECOVERY) Time 0:00 Begins

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SALEM, OREGON

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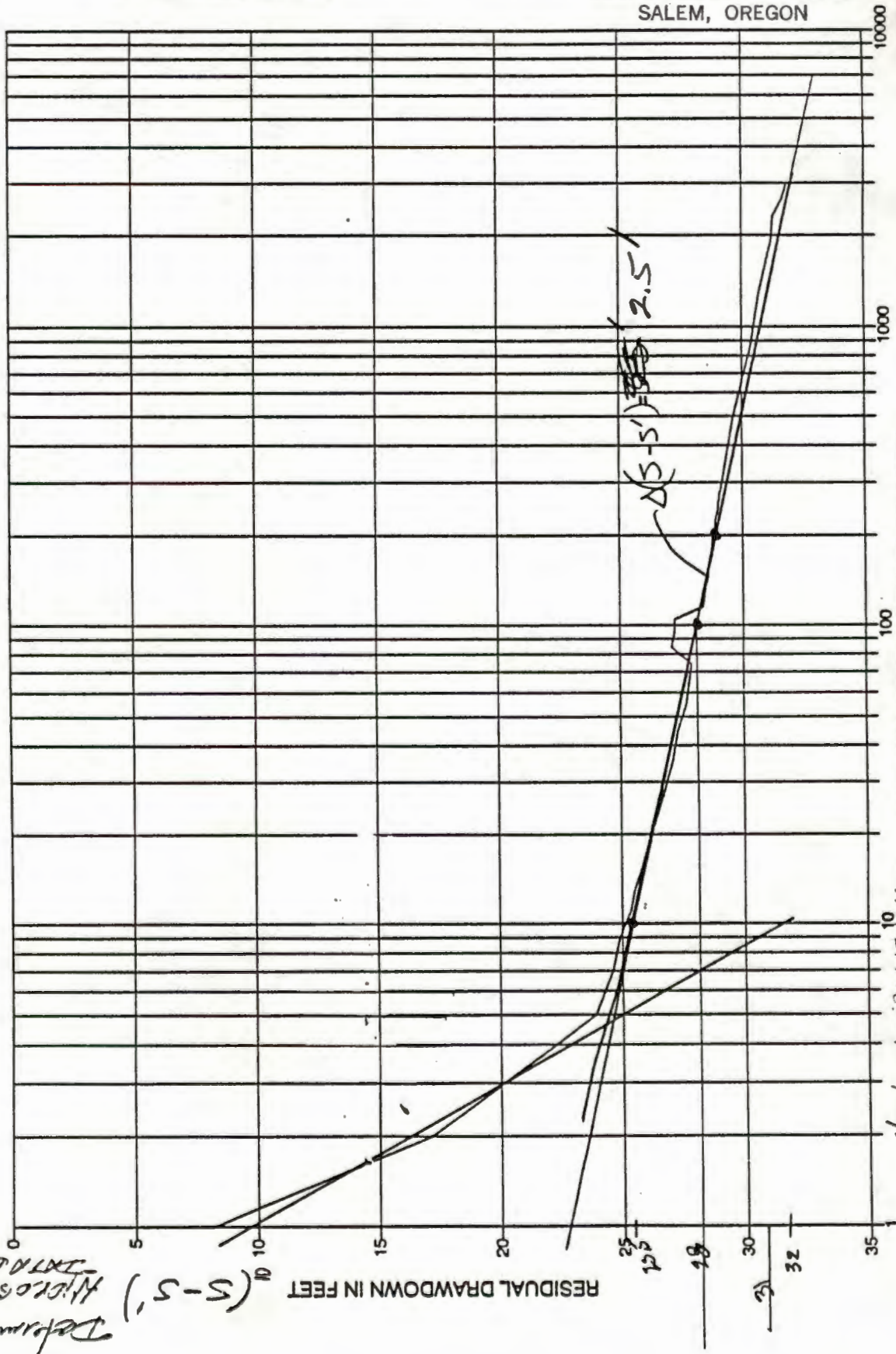
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WATER RESOURCES DEPT.
 SALEM, OREGON

WELL 4 - RESIDUAL DRAWDOWN (RECOVERY)
 AFTER PUMP SHUTOFF 12/21



TIME SINCE PUMPING ENDED (MINUTES)

STABILIZED Recovery
 $T = \frac{264(20)}{2.5} = 960 \text{ GPD/A}$
 $T = \frac{264}{2.5}$
 Timmerman of Surface drain
 10/11/92

100' in recovery
 Fast Recovery
 $T = \frac{264(20)}{2.2} = 240 \text{ GPD/A}$
 Most Red Below 12' Drawdown

Reformation from
 Hydrograph of
 12/21/92

November 25, 1992

Mr. Rich Catlin
Benton Co. Dev. Dept.
408 SW Monroe
Corvallis, OR 97333

RE: Cascade View Estates Water Right Application (G-13066)

Dear Rich:

McDougal Brothers Investments of Dexter, Oregon submitted a water use permit application for Cascade View Estates on August 6, 1992. We filed the application as G-13066. That application seeks 37 gpm from four wells for domestic use to 60 households.

The processing of the application is underway. There is a letter of concern in the file from a neighbor who questions the availability of water. Other issues could arise which either delay permit issuance or cause rejection of the application. Based on the uncertainties of the permitting process on the application, I cannot predict when a determination will be reached.

I am concerned that some may assume that the use of the water can occur without a permit. The lots are for sale and I understand that some building may occur this winter. As many as six homes may be ready to use water by next summer. There may be an erroneous assumption by some that the development should proceed without the water use permit from this agency. I do not share that view. Let's not create a situation of illegal use if we can avoid one.

Benton County has formulated a water management plan for Cascade View. I would appreciate a copy of the final plan. We may wish to consider some its provisions as conditions for a water use permit.

Please call me if you have questions.

Sincerely,

December 28, 1992

Mr. Dexter Leonard
P.O. Box 1093
Albany, OR 97321

Reference: File G-13066 - McDougal Brothers Investments

Dear Mr. Leonard:

We have received your letter raising concerns over the proposed use of water described by the above referenced application.

You will be provided an opportunity to evaluate a technical review of the application and raise objections or raise any public interest issues after the technical review is distributed.

Until such time, your letter of concern has been placed in the file assuring that you will receive a notice of our technical review.

Sincerely,

Steve Brown
Senior Water Rights Specialist

1005



MEMORANDUM

TO: Water Rights Experts!

FROM: Danielle

RE: Call from Dexter Leonard

DATE: December 28, 1992

I spoke to Mr. Leonard today about an application for water use in the name of Cascade View Estates or McDougal Brothers filed in August of 1991. Mr. Leonard filed a protest to that application in November of 1991 and has not heard anything at all from WRD regarding the status of either the application or his protest. The application was for a housing development in the Corvallis-Lewisburg area, T 11 S, R 5 W, Section 2. He is wondering what's going on. Please let him know by calling him at 1-745-7517.

*12/28/92
Called & arranged
questions
JLB*